

House bill 2861; to the Committee on Ways and Means.

4622. By Mr. JUDD: Petition of 2,695 citizens of Minneapolis, Minn., opposing passage of House bill 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4623. By Mr. LeCOMPTE: Petition of Edna M. Sherman and other citizens of Grinnell, Iowa, in the interest of House bill 2082, to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war, by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4624. By Mr. REED of Illinois: Petition of Elmer Kruse, of Bensenville, Ill., and 23 citizens, protesting against the enactment of House bill 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4625. By Mr. SMITH of West Virginia: Petition of the Woman's Christian Temperance Union of Beckley, W. Va., urging the passage of the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

4626. Also, petition of the Beckley Sisterhood, Beckley, W. Va., representing 40 members, urging the withdrawal in its entirety of the Palestine White Paper of 1939 and that the terms of the Balfour Declaration and the Palestine mandate be carried out faithfully; to the Committee on Foreign Affairs.

4627. By Mr. ROLPH: Resolution of Beth Israel Sisterhood, San Francisco, Calif., relative to abrogating the Chamberlain White Paper and establishing a Jewish homeland in Palestine; to the Committee on Foreign Affairs.

4628. Also, resolution of the Zionist Organization of America, San Francisco district, relative to abrogating the Chamberlain White Paper and establishing a Jewish homeland in Palestine; to the Committee on Foreign Affairs.

4629. Also, resolution of the National Home for Jewish Children, at San Francisco, Calif., relative to abrogating the Chamberlain White Paper and establishing a Jewish homeland in Palestine; to the Committee on Foreign Affairs.

4630. By Mr. LYNCH: Petition of the Polish Roman Catholic Union of America, protesting against the partitioning of Poland; to the Committee on Foreign Affairs.

4631. By Mr. LEWIS: Petition of Mamie Salimbeni, Martins Ferry, Ohio, and signed by sundry residents of Martins Ferry, Ohio, and vicinity, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4632. Also, resolutions of the citizens' committee on economic welfare, regarding the soldiers' ballot and food subsidies; to the Committee on Military Affairs.

4633. By Mr. SCHIFFLER: Petition of Eoff Street Temple Sisterhood, representing 68 members, urging that appropriate action be taken to ensure the withdrawal in its entirety of the Palestine White Paper of 1939 with its restrictions on Jewish immigration and land settlement; that Palestine be opened to Jewish immigration and that terms of the Balfour Declaration and the Palestine Mandate be carried out faithfully; to the Committee on Foreign Affairs.

4634. By the SPEAKER: Petition of the city clerk, Kansas City, Mo., petitioning consideration of their resolution with reference to a workable soldier vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4635. Also, petition of the Workmens' Benefit Fund of the United States of America, Inc., Brooklyn, N. Y., petitioning consideration of their resolution with reference to the Austin-Wadsworth bill; to the Committee on Military Affairs.

4636. Also, petition of the American Federation of Musicians, Local 802, New York, petitioning consideration of their resolution with reference to the Green-Lucas soldier vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4637. Also, petition of the Townsend Club, No. 1, Pierre, S. Dak., petitioning consideration of their resolution with reference to a general sales tax; to the Committee on Ways and Means.

4638. Also, petition of the American Youth for Democracy, 13, Astor Place, New York City, petitioning consideration of their resolution with reference to the Green-Lucas soldier vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4639. Also, petition of the American Youth for Democracy, Ithaca, N. Y., petitioning consideration of their resolution with reference to the Green-Lucas soldier vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4640. Also, petition of the office of the national director of the American Bill of Rights Day Association, Brooklyn, N. Y., petitioning consideration of their resolution with reference to a Bill-of-Rights day; to the Committee on the Judiciary.

SENATE

TUESDAY, FEBRUARY 1, 1944

(Legislative day of Monday, January 24, 1944)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God of life and light, shine Thou upon our darkness that all lesser lights may be dimmed. From the baseness of our own hearts we turn to the crystal purity of Thy own holiness. From the vain deceits of the uncertain world in which we live we turn to the white candor of eternal verities. In a clamorous and convulsive day, when the very air of the world sighs and sobs with tremulous anguish, we would climb the altar stairs of a faith that will not shrink though pressed by every foe. We would bow in Thy presence in the calm confidence that Thou holdest us and our world, and all the worlds, in the clasp of a love that never faileth. Our assurance and comfort lie not in our feeble hold of Thee but in Thy mighty grasp of us.

May we march with conquering tread in the gathering armies of friendship whose armor is the shield of Thy truth and whose sword is the might of Thy love against which all the spears of hate cannot ultimately prevail. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. TRUMAN, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, January 31, 1944, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a

nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

NATIONAL HOME FOR JEWISH PEOPLE IN PALESTINE

Mr. TRUMAN. I suggest the absence of a quorum.

Mr. WAGNER. Mr. President, will the Senator withhold the suggestion of the absence of a quorum for a few minutes?

Mr. TRUMAN. I withhold it.

Mr. WAGNER. Mr. President, I ask unanimous consent that I may submit a resolution for appropriate reference, and I should like to make a brief statement in connection with it. The resolution is submitted on behalf of myself and the senior Senator from Ohio [Mr. TAFT].

The VICE PRESIDENT. Without objection, the resolution will be received, and the Senator from New York may proceed.

The resolution (S. Res. 247) submitted by Mr. WAGNER, on behalf of himself and Mr. TAFT, is as follows:

Whereas the Sixty-seventh Congress of the United States on June 30, 1922, unanimously resolved "that the United States of America favors the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of Christian and all other non-Jewish communities in Palestine, and that the holy places and religious buildings and sites in Palestine shall be adequately protected"; and

Whereas the ruthless persecution of the Jewish people in Europe has clearly demonstrated the need for a Jewish homeland as a haven for the large numbers who have become homeless as a result of this persecution: Therefore be it

Resolved, That the United States shall use its good offices and take appropriate measures to the end that the doors of Palestine shall be opened for free entry of Jews into that country, and that there shall be full opportunity for colonization so that the Jewish people may ultimately reconstitute Palestine as a free and democratic Jewish commonwealth.

Mr. WAGNER. Mr. President, I deem it a great privilege to join the Senator from Ohio in sponsoring this resolution, concerning one of the greatest humanitarian movements before the American people today—to right the tragic plight of the Jews of the Old World, to help them rebuild their ancestral homeland, where they may live as freemen and useful citizens.

This resolution reaffirms the historic policy of the Government of the United States, formulated by the Congress in June 1922, when it unanimously passed a joint resolution sponsored by the late Senator Lodge, of Massachusetts, then chairman of the Committee on Foreign Relations. The Congress then declared—

That the United States of America favors the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of Christian and all other non-Jewish communities in Palestine, and that the holy places and religious buildings and sites in Palestine shall be adequately protected.

The Lodge resolution confirmed the famous Balfour Declaration. Although it was issued in the name of the British

Government, the Balfour Declaration was, as a matter of fact, a joint policy of the Governments of Great Britain and the United States. Before its official publication, it was the subject of prolonged and cordial negotiations between Mr. Woodrow Wilson and Mr. Lloyd George, the respective heads of the two Governments. In the words of Hon. Josephus Daniels, the United States was a moral cosponsor of the entire plan.

It was hoped then by the Allied Governments and by men of good will everywhere that the establishment of a Jewish homeland in Palestine would solve an age-old problem. It was contemplated that the disgraceful era of economic and social persecution of the Jews in Europe would terminate, and that once again this people, from whom we derive our Christianity, our basic literature, and our basic laws, among many other contributions, would once again be allowed to work out their salvation in peace and freedom.

With this in mind, the British Government, after World War No. 1, with the approval of the United States and the Allied and associated nations, assumed the mandate over Palestine.

While Palestine achieved remarkable growth in the next 20 years, a new day did not dawn for the world at large. Instead, under the prodding of Hitler and Mussolini, and under other influences, a series of unfortunate developments conspired to divert the orderly fulfillment of a great objective. During that Munich period, the then British Government adopted the so-called White Paper, restricting immigration, land purchase, and colonization of Palestine by Jewish settlers. This policy then, as now, shocked the sensibilities of men of good will everywhere. No one was more outspoken in opposition than the great statesman who guides the British Commonwealth today, Prime Minister Winston Churchill.

In the meantime, the present war began, and Hitler's murder squads undertook their deliberate program of exterminating the Jewish population of Europe. At a time when Palestine should have been open to welcome these unfortunate people and utilize their contribution to the utmost, the gates were virtually closed.

Those Jews who were fortunate enough to be in Palestine have made and are making a truly glorious contribution to the Allied cause. While General Montgomery and his valiant Eighth Army were fighting with their backs to the Suez Canal, and Rommel already had invited guests to his contemplated first dinner party in Cairo, the Jews of Palestine were performing heroic deeds as commandos and as other shock troops. In Palestine the entire community of men and women dedicated their lives to the defense of their homeland and to the production of urgently needed materials of war for the Allied forces. President Roosevelt, Mr. Churchill, and other Allied leaders have spoken most generously of their contribution.

Now and in the post-war period this Jewish community stands ready to give refuge to their persecuted brethren in

Europe. From 1933 to 1939 Palestine welcomed more refugees from Hitler terror than were absorbed by all the rest of the world. When the war ends, Palestine has the capacity to absorb the uprooted and the destitute Jews who will survive Hitler's vengeance. The need then will be greater than ever before.

Our Government has done and is doing its utmost to alleviate the conditions of European refugees during the war. Every President of the United States since Woodrow Wilson has looked with favor upon the Jewish homeland as the permanent solution of a vexing problem. The resolution jointly submitted by the Senator from Ohio and myself will help uphold the hand of our Government in support of its traditional policy—a policy that is in furtherance of the ideals of all the United Nations.

The overwhelming sentiment of the American people is expressed in the simple words of this resolution:

That the United States shall use its good offices and take appropriate measures to the end that the doors of Palestine shall be opened for free entry of Jews into that country, and that there shall be full opportunity for colonization so that the Jewish people may ultimately reconstitute Palestine as a free and democratic Jewish commonwealth.

Mr. WHITE. Mr. President, I take great satisfaction in the resolution just submitted to the Senate by the Senator from New York on behalf of himself and the senior Senator from Ohio.

If I correctly understand its purpose and its terms, it is a reaffirmation of an attitude of the Congress expressed more than 20 years ago with respect to the establishment in Palestine of a national home for the Jewish people.

The cruelties inflicted upon the Jewish people in late years, and their present desperate plight, appeal to the heart of the Christian world for remedial measures and for fulfillment of the plan for a home for them. This resolution encourages hope that there will soon come realization of those aspirations.

I hope the resolution will have early and favorable consideration by the appropriate committee and by the Senate itself.

Mr. TAFT. Mr. President, I am joining today with the Senator from New York [Mr. WAGNER] in offering a resolution favoring the establishment of Palestine as a place for the permanent settlement of millions of European Jews. The resolution recently reported by the Senate Foreign Relations Committee provided for the establishment of a commission to investigate and report on one of the most serious problems which faces the world today. Without waiting for the Senate to act, the President has set up such a commission, which shall determine the best method of saving those Jews who have not been massacred, who are in Germany or its satellite countries, and those who are wandering without homes throughout the earth. Until a place is found to which the unhappy Jews of Europe can repair and get a new start in life, free of unreasonable economic sanctions and a blind religious and racial hatred, the fundamental

causes for anti-Semitism will continue in Europe.

It seems to me that the only solution of this problem lies in the restoration of free and unrestricted immigration of Jews into Palestine, at least until that land has absorbed as many people as it can.

Palestine was set aside as a homeland for the Jews during the First World War. The League of Nations approved this solution, and our Government and the British Government also agreed to it. In 1922, under the leadership of Senator Henry Cabot Lodge, a Republican Congress unanimously gave its approval to Palestine as a Jewish homeland. A Republican President signed the legislation. Unfortunately considerations of military policy led the British Government to change that policy, and forbid, in effect, the further immigration of Jews into Palestine, when the Jewish population is still only one-half the Arab population.

The resolution now presented is merely a reaffirmation of the historic policy of the Congress. It is a step toward the solution of one of the problems which must be solved if peace is to exist throughout the world. I hope that all people of good will can join in approving the resolution.

Mr. BARKLEY. Mr. President, I am glad to join with my colleagues in an expression of sympathetic interest in the objective to be attained by the resolution just submitted by the Senator from New York.

In 1919, just 25 years ago, there were only 55,000 Jews in Palestine. Today there are more than 600,000. The Jewish population has increased, and migration of Jews has gone in that direction in the past quarter of a century, in large measure because Jews and non-Jews who have been interested in the establishment of Palestine, not only as a homeland for the Jews, but in more recent years as a refuge for persecuted Jews, have by their contributions, their cooperation, and their organization, made it possible for Palestine not only to absorb 600,000 Jews in a quarter of a century, but to absorb many other hundreds of thousands of Jews.

I visited Palestine about 6 or 7 years ago. I saw the results of the great improvements which have been made. It was necessary at the outset to irrigate waste lands, to drain swamplands, and to reforest. What has been done there in setting up new communities and new enterprises has been a source of great inspiration. More than 600 factories have been established in Palestine, which are producing more materials than are being sent into Russia and into Turkey, and even into India.

By the reclamation program which has been in process of completion during the last decade, which resembles in some respect the program in our own country under which arid and waste lands are being reclaimed, a condition of economic welfare has been brought about which has truly been a marvel for a country such as Palestine.

The Jew ordinarily is not looked upon as an agriculturalist. Especially in our

own country the Jew is mainly engaged in mercantile, manufacturing, and trade activities, but in Palestine even those who have never before lived upon farms or have cultivated land have been able to acclimate themselves and make the readjustment necessary so that they are becoming real farmers in the land of their ancestry.

There is a perfectly natural link that binds the Jew to Palestine, which we can all understand. During the last 10 years, since the rise of Hitler, more than 300,000 Jews have gone into Palestine from the oppressed countries of Europe. He has been responsible for the cold-blooded murder of more than 3,000,000 men, women, and children since the war began in 1939. These men, women, and children were not killed because they were engaging in war. They were not among those who were killed as soldiers. They were murdered merely because they were Jews, and for no other reason, in an effort to consummate the threat of Hitler to exterminate the Jew in Europe. We of the Christian world can more thoroughly appreciate today than we could a week ago the feeling of Jews all over the world aroused by the ruthless murder of their people. We can more fittingly understand the reactions of Jews everywhere to these murders and slaughters now that we have learned of the ruthless, conscienceless murder of men of our own Nation by one of the Axis Powers.

I have been frequently inspired by the devotion and the enthusiasm with which men and women who have never seen Palestine, and will never see it, have expended their time and their means to provide a home for the persecuted Jews of Europe.

It is my opinion that Palestine can yet absorb many hundreds of thousands. I have been informed from reliable sources that ultimately, by the process of improvement in agriculture and industry and all the other things which go to make life worth while, in all likelihood, Palestine can absorb and support approximately 3,000,000 Jews. If that be true—and I have no reason to doubt it—it seems to me that we, not only as individual American citizens but as a government, ought to encourage every effort to facilitate the migration of an oppressed, harassed people into the land of their ancient ancestors.

Recently I have been reading a book by Emil Ludwig entitled "The Mediterranean." It is a wonderful book, patterned somewhat after the fashion of his book on the Nile. It is not the history of any nation, or of any people, but it is the history of all the civilizations that have risen and have flourished on the shores of the Mediterranean Sea. The Roman Empire, the Grecian Empire, the Persian Empire, the Byzantine Empire, and all the empires that have flourished there have passed away, and are now known only to memory and on the pages of history. Palestine still remains, and will remain through all the centuries of the future.

Mr. President, I hope the aspirations of those who look upon it and are seeking to make it a homeland for the Jews will have success beyond their fondest dreams.

The VICE PRESIDENT. The resolution submitted by the Senator from New York [Mr. WAGNER], for himself and the Senator from Ohio [Mr. TAFT] will be referred to the Committee on Foreign Relations.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 636. An act for the relief of C. J. Toole; and

H. R. 1875. An act for the relief of Carl Swanson, Geraldine Cecilia Swanson, a minor, and Almer Swanson.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 1344) for the relief of Paul W. Busbey, Mrs. Paul W. Busbey, Paula Busbey, and Mrs. Louisa Busbey.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate.

H. R. 3847. An act to exempt certain officers and employees of the Office of Price Administration from certain provisions of the Criminal Code and Revised Statutes; and

H. R. 4070. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1945, and for other purposes.

The message also announced that the House had agreed to Senate Concurrent Resolution 30, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 8,500 additional copies of Senate Report No. 627, current Congress, on the bill (H. R. 3687) entitled "Revenue Act of 1943," of which 5,000 copies shall be for the use of the House document room, 2,000 copies for the Senate document room, 1,000 copies for the Senate Committee on Finance, and 500 copies for the Committee on Ways and Means of the House of Representatives.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1543. An act to provide for mustering-out payments to members of the armed forces, and for other purposes;

H. R. 636. An act for the relief of C. J. Toole;

H. R. 1344. An act for the relief of Paul W. Busbey, Mrs. Paul W. Busbey, Paula Busbey, and Mrs. Louisa Busbey; and

H. R. 1875. An act for the relief of Carl Swanson, Geraldine Cecilia Swanson, a minor, and Almer Swanson.

TRIBUTE TO THE LATE SENATOR VAN NUYS, OF INDIANA—CONDOLENCES OF EMERGENCY COMMITTEE TO SAVE THE JEWISH PEOPLE OF EUROPE

The VICE PRESIDENT laid before the Senate a telegram from Peter H. Bergson, cochairman of the Emergency Committee To Save the Jewish People of Europe, New York City, N. Y., expressing condolences upon the death of Frederick Van Nuys, late a Senator from the State of Indiana, which was ordered to lie on

the table and to be printed in the RECORD, as follows:

NEW YORK, N. Y., January 28, 1944.

HON. HENRY A. WALLACE,
Vice President of the United States,
Senate, Washington, D. C.:

Please extend to the United States Senate our heartfelt condolences upon the death of the distinguished Senator of Indiana, Frederick Van Nuys. His aid to the cause of the martyred Jewish people of Europe in sponsoring the Gillette rescue resolution has been deeply appreciated and shall always be remembered. It is an example of the deceased Senator's fine humanitarianism. May his soul rest in peace.

PETER H. BERGSON,
Co-chairman, Emergency Committee
To Save the Jewish People of Europe.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF THE SECURITIES AND EXCHANGE COMMISSION

A letter from the Chairman of the Securities and Exchange Commission transmitting, pursuant to law, the annual report of that Commission for the fiscal year ended June 30, 1943 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON LIQUIDATION OF HOME OWNERS' LOAN CORPORATION

A letter from the Federal Home Loan Bank Commissioner, submitting, pursuant to a provision contained in the Independent Offices Appropriation Act, 1944, Public Law No. 90, Seventy-eighth Congress, approved June 26, 1943, a report of the Home Owners' Loan Corporation relating to the liquidation thereof (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF FEDERAL CROP INSURANCE CORPORATION

A letter from the Manager of the Federal Crop Insurance Corporation, Department of Agriculture, transmitting, pursuant to law, the annual report of the Federal Crop Insurance Corporation covering the activities of that agency for the 1943 fiscal year and also reviewing the insurance experience from the beginning of the program in February 1938 through the completion of the insurance on the 1942 crop (with an accompanying report); to the Committee on Banking and Currency.

ESTIMATES OF PERSONNEL REQUIREMENTS OF DEPARTMENTS AND AN OFFICE

Letters, transmitting, pursuant to law, estimates of personnel requirements for the quarter ending March 31, 1944, by the War Department, the Department of Commerce (Coast and Geodetic Survey), and the Office of Civilian Defense (with accompanying papers); to the Committee on Civil Service.

REPORT OF WASHINGTON GAS LIGHT CO.

A letter from the president of the Washington Gas Light Co., transmitting, pursuant to law, the annual report of that company for the year ended December 31, 1943 (with an accompanying report); to the Committee on the District of Columbia.

FINANCIAL REPORTS OF CHESAPEAKE & POTOMAC TELEPHONE CO.

Letters from the president of the Chesapeake & Potomac Telephone Co., transmitting, pursuant to law, the comparative general balance sheet and a statement of receipts and expenditures of that company for the year 1943 (with accompanying papers); to the Committee on the District of Columbia.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of the Departments of War and Agriculture; United

States Civil Service Commission, Selective Service System, United States Employees' Compensation Commission, and Office of Defense Transportation (2) which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking toward their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

WORLD-WIDE AIR TRANSPORTATION SYSTEM—RESOLUTION BY WALLINGFORD (CONN.) CHAMBER OF COMMERCE

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be inserted in the RECORD, and appropriately referred, a letter which I have received from Mr. Nicola F. Bellows, secretary, the Wallingford Chamber of Commerce, Wallingford, Conn., incorporating a resolution adopted by that organization concerning the planning of foreign air transportation to be operated by the United States flag air carriers.

There being no objection, the letter was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

THE WALLINGFORD CHAMBER OF COMMERCE,

Wallingford, Conn., January 29, 1944.

HON. FRANCIS T. MALONEY,
United States Senator,
Washington, D. C.

DEAR SENATOR MALONEY: At a recent meeting of the board of directors of the chamber of commerce the following resolution was unanimously voted:

"That the Congress be urged to make its declaration of policy operative and that the appropriate governmental agencies incorporate in their planning of foreign air transportation to be operated by the United States flag air carriers the following basic policies to be established in the world system of air transportation thereunder created:

"1. Free and open world-wide competition, subject to reasonable regulation by the appropriate governmental agencies.

"2. Private ownership and management of air lines engaged in domestic and foreign operation.

"3. Fostering and encouragement by the Government of the United States of a sound world-wide air transportation system.

"4. World-wide freedom of transit in peaceful flight.

"5. Acquisition of civil and commercial outlets required in the public interest.

"Be it further

Resolved, That a world-wide system of air transportation should be developed in which open and free competition, reasonably regulated, be given full play. That the air lines of the United States be permitted to forge ahead under the stimulus of world competition. Their growth should not be strait jacketed by the withering effect of monopoly. Private ownership, with its encouragement of initiative and creativeness, and its attendant rewards for accomplishment, should be our undeviating policy."

Anything you may do in this direction will be appreciated.

Very truly yours,

NICOLA F. BELLOWES,
Secretary.

CONSTRUCTION OF THIRD CONNECTICUT HIGHWAY PARALLEL TO NEW HAVEN SYSTEM—RESOLUTION BY AMERICAN LEGION POST

Mr. MALONEY. Mr. President, I also ask unanimous consent that there may

be inserted in the RECORD, and appropriately referred, a letter which I have received from Mr. Robert L. Ford, commander, New York, New Haven & Hartford Railroad Post, No. 119, Inc., American Legion, together with copy of a resolution adopted by that organization in opposition to the construction of a third vehicle highway across Fairfield County, State of Connecticut, running east and west from the Housatonic River to the New York State line and parallel to the New Haven system.

There being no objection, the letter and resolution were referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

THE AMERICAN LEGION,

New Haven, Conn., January 27, 1944.

HON. FRANCIS T. MALONEY,
United States Senator, Connecticut,
Washington, D. C.

DEAR SENATOR MALONEY: Enclosing copies of our resolution condemning the construction of a so-called third highway within Fairfield County of State of Connecticut for your earnest consideration.

This resolution is not a result of any hasty action by our members but the over-all opinion after due expression of thoughts. We deeply feel the very existence of our railroad and its thousands of employees will be greatly affected if the construction of this highway is permitted. Its construction would be a predominant factor in leading us toward the unpleasant aftermath of unemployment that resulted from World War No. 1. As tried and true Americans it is our duty to eliminate any cause that may result in a recurrence of such condition.

With our profound respect, we remain,
Yours respectfully,

ROBERT L. FORD,
Commander, New York, New Haven
& Hartford Railroad Post, No. 119,
Inc., American Legion.

RAY W. HAYWARD,
Adjutant.

THE NEW YORK, NEW HAVEN
& HARTFORD RAILROAD POST,
No. 119, INC., AMERICAN LEGION,
December 22, 1943.

HIS HONOR, GOV. RAYMOND E. BALDWIN,
State of Connecticut,

WILLIAM J. COX,
Highway Commissioner,
State of Connecticut,

CHAIRMAN, PUBLIC UTILITIES COMMISSION,
State of Connecticut,

THE INTERSTATE COMMERCE COMMISSION,
Washington, D. C.,

HON. ANGLIER L. GOODWIN,
Representative, Massachusetts; New
England Member of House Commit-
tee on Roads.

GENTLEMEN: The New York, New Haven & Hartford Railroad Post, No. 119, Inc., American Legion, whose membership is composed entirely of railroad employees (in accordance with its charter) at a regular and constituted meeting held at its headquarters, 154 Water Street, New Haven, Conn., on November 17, 1943, there was presented and adopted the following resolution:

"Be it resolved, We are opposed to the construction of a third vehicle highway across Fairfield County, State of Connecticut, running east and west from the Housatonic River to the New York State line and parallel to the New Haven system as nonessential and without value as a through transportation artery; and

"Whereas the New Haven Railroad, with approximately one-half the equipment available as in World War No. 1, today is handling twice the freight and passenger

per ton, and mileage basis, than at any time in its history; and

"Whereas this accomplishment is a matter of official record and is a factor acknowledged by Government and business alike. The New Haven Railroad compiled this record simultaneously while being called upon to move a record-breaking volume of war and civilian materials; and

"Whereas in spite of normal replacement of parts and other necessary equipment becoming secondary to the current war production, the New Haven Railroad has continued the successful operation without interruption during the current emergencies; and

"Whereas it is apparent the New Haven Railroad, based on current operating records, will be able to meet and handle any and all demands upon its facilities now or in peacetime; and

"Whereas the proposed construction of a third highway running east and west across Fairfield County apparently has the support and backing of the trucking industry, which if permitted to become a reality, would have a serious and destructive effect on railroad morale, traffic, and its facilities; Therefore be it

"Resolved, That we, the employees and members of the New Haven system, believing the proposed third highway of no value to a successful transportation problem now or in peacetime, do herewith go on record as officially opposed to its construction in any form; and be it further

"Resolved, That copies of the resolution be forwarded directly to Hon. FRANCIS T. MALONEY, United States Senator, Connecticut; Hon. JOHN A. DANAHY, United States Senator, Connecticut; Hon. RANULF COMPTON, Representative, Connecticut; Hon. WILLIAM J. MILLER, Representative, Connecticut; Hon. CLARE BOOTH LUCE, Representative, Connecticut; the trustee and chairman, board of directors, New York, New Haven & Hartford Railroad."

ROBERT L. FORD,
Commander, New York, New Haven
& Hartford Railroad Post, No. 119,
Inc., American Legion.

Attest:
RAYMOND W. HAYWARD, Adjutant.

GOVERNMENT PROPERTY MANAGEMENT—REPORT OF COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Mr. HILL. Mr. President, I ask unanimous consent to report back, with amendments, from the Committee on Expenditures in the Executive Departments the bill (H. R. 2795) to amend the Budget and Accounting Act, 1921, to provide for the more efficient utilization and disposition of Government property other than land or buildings and facilities or fixtures appurtenant thereto, and for other purposes, known briefly as the Property Management Act, and I submit a report (No. 658) thereon. In this connection I also ask unanimous consent to have printed in the RECORD a very brief statement relating to the bill.

The VICE PRESIDENT. Without objection, the report will be received and the bill will be placed on the calendar, and the statement presented by the Senator from Alabama will be printed in the RECORD.

The statement is as follows:

In what he described as an "extremely important step toward putting the Government's house in order" in regard to billions of dollars' worth of real and personal property, Senator LISTER HILL at a press conference today announced that the so-called property-management bill (H. R. 2795) had

been approved by the Senate Committee on Expenditures in the Executive Departments. The bill, Senator HILL pointed out, provides for control of Government equipment, materials, and supplies in normal times on a continuing basis, as well as for the disposition of the surpluses resulting from the war.

Senator HILL expressed confidence that the bill included the major ideas in the resolution introduced by Senator JAMES E. MURRAY, of the Military Affairs Committee, and is in accord with the conclusions of the Senate Special Committee on Post-War Policy and Planning as reported out by Senator WALTER F. GEORGE, chairman, and of the Special Committee to Investigate the National Defense Program, Senator HARRY S. TRUMAN, chairman.

The original bill, based on the study and recommendations of the Treasury Department, the General Accounting Office, and the Bureau of the Budget, was passed by the House in June 1943. To this bill the Senate committee has made a major change in providing for a surplus war property board of nine members. The board will be composed of the Secretaries of the Treasury, War, Navy, and Commerce, the Director of the Budget, as chairman, and one representative each of labor, agriculture, industry, and the general public. The latter four members will be appointed by the President, subject to the approval of the Senate. This board will have broad advisory and coordinating powers in dealing with war surpluses.

In discussing the bill, Senator HILL pointed out two distinct aspects of it, the continuing problem of managing Government personal property and the more immediate and urgent problem of "war surpluses."

In line with the President's hope expressed in his recent Budget message, "that machinery for the permanent management of Government property can be established in the very near future," Senator Hill emphasized that the bill provides for the orderly management of Government property and the transfer or disposal of such property when it is no longer needed by any Federal agency.

"The permanent machinery for management of Government property, greatly needed for a long time, can be set up rapidly and efficiently under this bill," Senator Hill declared. "It can be done with the minimum of disturbance to the existing Federal organizations and procedures and at the lowest possible expense."

Under the bill, the Procurement Division of the Treasury Department and such other agencies as are designated by the Board will make surpluses available for transfer to Federal, State, or local agencies, or for disposal by sale or lease. In the past these surpluses have been disposed of, both within and outside the Federal Government, under merely implied authority and under haphazard and often conflicting procedures. In this so-called "permanent" field, as well as in the war surpluses, provision is made for a continual inventory of surplus property.

Taking up the problem of war surpluses, Senator Hill stated that a very important provision of the bill is the formation of the War Surplus Property Board. He stated that the authority of this Board emphasizes provisions to protect the national economy and the interests of the Nation's taxpayers. It will prevent sale of Government property by organizations or persons at unreasonable profit; protect private enterprise from unfair competition in the disposal of Government property; protect and foster the development of new industries.

"The main immediate objective," Senator HILL stated, "is to coordinate and arrange the disposal of Federal war surpluses—running into many billions of dollars—in the most effective manner possible through the operation of any and all Federal agencies which can contribute to the solution of the problem."

"The Board established by this bill," declared Senator HILL, "is in no sense a new agency. It provides coordination of the heads of departments most responsible in seeking a solution to the problem—a coordination designed to assist in the tremendous task of dealing with war surplus property. Its duty is to find out the facts. It will bring questions of policy to the President and to the Congress, and with their approval will direct the operating agencies in disposing of war surpluses. Its functions will be primarily to protect private enterprise from unfair Government competition and to protect the taxpayer from unnecessary sacrifice of real values."

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NYE:

S. 1679. A bill for the relief of A. C. Slade; to the Committee on Claims.

S. 1680. A bill to provide for disposition of surplus war materials; to the Committee on Military Affairs.

By Mr. WALSH of Massachusetts:

S. 1681. A bill to provide for reimbursement of certain Marine Corps personnel attached to Marine Utility Squadron 152 for personal property lost or damaged as the result of a fire in Officers' Quarters on February 9, 1943; and

S. 1682. A bill to provide for the payment of compensation to certain claimants for the taking by the United States of private fishery rights in Pearl Harbor, Island of Oahu, T. H.; to the Committee on Naval Affairs.

By Mr. THOMAS of Utah:

S. 1683. A bill to codify the laws relating to the Public Health Service, and for other purposes; to the Committee on Education and Labor.

By Mr. BILBO:

S. 1684. A bill authorizing the Reconstruction Finance Corporation to sell certain securities to the Commissioners of the Straight Bayou Drainage District; to the Committee on Banking and Currency.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H. R. 3847. An act to exempt certain officers and employees of the Office of Price Administration from certain provisions of the Criminal Code and Revised Statutes; to the Committee on Banking and Currency.

H. R. 4070. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1945, and for other purposes; to the Committee on Appropriations.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES—AMENDMENTS

Mr. BRIDGES submitted amendments, and Mr. JOHNSON of Colorado and Mr. LA FOLLETTE each submitted an amendment intended to be proposed by them, respectively, to the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, which were severally ordered to lie on the table and to be printed.

DISPOSITION OF PROPERTY ACQUIRED FOR WAR PURPOSES

Mr. DAVIS submitted the following concurrent resolution (S. Con. Res. 33),

which was referred to the Committee on Expenditures in the Executive Departments:

Whereas as a result of the present war there has been accumulated by the United States and by corporations owned or controlled by the United States supplies, materials, equipment, and other tangible property for war purposes; and

Whereas it is desirable that such supplies, materials, equipment, and other tangible property be not utilized in a manner detrimental to American enterprise: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is hereby declared to be the policy of the Congress that supplies, materials, equipment, and other tangible property owned by the United States or by any corporation owned or controlled by the United States, and accumulated as a result of the present war, be used or disposed of in a manner which will preserve American enterprise unimpaired by Government competition; and to that end that after the termination of the present war all such supplies, materials, equipment, and other tangible property be put away in trust or disposed of in such manner and in such quantities as to bring about no serious interruption to private enterprise and private employment.

LOANS TRANSFERRED BY THE HOME OWNERS' LOAN CORPORATION TO PRIVATE LENDING INSTITUTIONS

Mr. MEAD submitted a resolution (S. Res. 248), which was ordered to lie over, under the rule, as follows:

Resolved, That the Commissioner of the Federal Home Loan Bank Administration be, and hereby is, instructed to report to the Senate by February 5 or as soon thereafter as possible concerning the number and dollar amount of Home Owners' Loan Corporation loans which have been transferred to private lending institutions, whether these loans were increased in amount, the rates of interest charged, and in general the terms made to Home Owners Loan Corporation borrowers when these transfers were effected; be it further

Resolved, That the Commissioner of the Federal Home Loan Bank Administration be instructed, in each case where more than 10 loans have been taken, to also report as to whether the institutions taking them received money from the Home Owners' Loan Corporation in return for defaulted mortgages and, if so, how much in each case, also if these lending institutions obtained money from the Treasury or the Home Owners' Loan Corporation for investment in their shares, securities, or deposits, and if there are still unpaid balances on these investments, also if any of them are borrowers from the Federal Home Loan Bank System and in what amounts; and be it further

Resolved, That the Commissioner of the Federal Home Loan Bank Administration be instructed to request from the Reconstruction Finance Corporation and include in said report information as to loans or advances made to any of the institutions which have taken Home Owners' Loan Corporation loans, in what amount and what, if any, balances are now owed by these institutions to the Reconstruction Finance Corporation.

ADDRESS BY SENATOR TRUMAN AT LAUNCHING OF BATTLESHIP "MISSOURI"

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the address delivered by Senator TRUMAN at the launching of the battleship *Missouri* at the Brooklyn Navy Yard, N. Y., on January 29, 1944, which appears in the Appendix.]

TRIBUTE TO JAMES A. FARLEY BY NELSON DUNSTAN

[Mr. CHANDLER asked and obtained leave to have printed in the RECORD a tribute by Nelson Dunstan to James A. Farley, published in the New York Morning Telegraph of November 16, 1943, which appears in the Appendix.]

OUR LATIN AMERICAN RELATIONS— ARTICLE BY HELEN ESSARY

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an article on Latin American relations, written by Helen Essary and published in the Washington Times-Herald of January 31, 1944, which appears in the Appendix.]

WARTIME METHOD OF VOTING BY MEM- BERS OF THE ARMED FORCES

The Senate resumed consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

The VICE PRESIDENT. The pending amendment is that of the Senator from Louisiana [Mr. OVERTON] to the amendment of the committee, on page 39, line 9, after the word "made", to insert "in accordance with State law."

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	O'Mahoney
Andrews	Gillette	Overton
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Bridges	Jackson	Stewart
Brooks	Johnson, Colo.	Taft
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Langer	Thomas, Utah
Butler	Lodge	Tobey
Byrd	Lucas	Truman
Caraway	McCarran	Tunnell
Chandler	McClellan	Tydings
Chavez	McFarland	Vandenberg
Clark, Idaho	McKellar	Wagner
Clark, Mo.	Maloney	Wallgren
Connally	Maybank	Walsh, Mass.
Danaher	Mead	Walsh, N. J.
Davis	Millikin	Wheeler
Downey	Moore	Wherry
Eastland	Murdock	White
Ellender	Murray	Willis
Ferguson	Nye	Wilson
George	O'Daniel	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

The Senator from Florida [Mr. PEPPER] is detained on public business.

Mr. WHITE. The Senator from Oregon [Mr. McNARY] is absent because of illness.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The Senator from Kansas [Mr. CAPPER] is absent from the Senate attending the funeral of William Allen White.

The VICE PRESIDENT. Eighty-nine Senators have answered to their names. A quorum is present.

Mr. BARKLEY. I do not wish to address the Senate at this time on the merits of any pending amendment or of the bill itself, but I do wish to urge all Senators, regardless of their position, to cooperate in bringing about a vote on this measure. We have now been debating it for more than a week, and there has not been a vote on a single amendment which has been proposed, printed, or suggested. I do not complain. I do not suggest that there has been any deliberate effort to postpone a vote on this measure. But the issue is a simple one; and I dare say every Senator knows now how he is going to vote, not only on the bill, but on amendments. For the last 2 months and more, we have been attempting to enact legislation granting to the soldiers, sailors, marines, and other members of the armed services the opportunity to exercise the right of citizenship. If it takes as long for the armed services to defeat the Germans and the Japanese, in proportion to their numbers and the magnitude of their problem, as it has taken us to decide the simple question whether we are going to allow these same men and women to vote, the war will last until the Presidential election in 1972. I hope in all sincerity that we may now get down to brass tacks, and begin to vote on something. We may talk as we will, but the vote is what the soldiers are interested in. I have no doubt that they are awaiting with some anxiety the record which is to be made in both Houses of Congress.

I make this statement in the utmost good faith and sincerity, in the hope that we may be able to bring the matter to a conclusion—today, if possible, or, if not, certainly not later than tomorrow.

Mr. TAFT. Mr. President, the Senator from Kentucky apparently blames on the opponents of the Federal ballot the delay which is occurring in the enactment of a law—

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BARKLEY. I did not indicate that I blamed anyone on either side. I asked those on both sides to cooperate to facilitate a vote. I hope the Senator from Ohio is not troubled in his conscience to the extent that he would attribute to me any thought of holding him responsible for the delay. The delay has been brought about by a good deal of conversation on both sides, I will say to the Senator.

Mr. TAFT. Yes, of course, Mr. President, yesterday the proponents of the Green-Lucas bill providing for the Federal ballot occupied most of the day. There are a number of opponents of the Federal ballot, and proponents of the State ballot, who desire to be heard today.

However, let me point out that the delay in the passage of the soldiers' vote bill is caused by the insistence of the administration upon having a reversal of the action taken by the Senate. In

December the Senate provided for voting by soldiers by State ballot. We passed that bill after a week of debate. That bill provides the only kind of bill which in my opinion really will give the soldier a vote. The bill then went to the House, and was properly acted upon.

Then we were asked to consider another bill, and, in another bill, to reverse the position we took in December.

The way to obtain the vote for the soldiers was to permit the bill which had been passed by the Senate to be considered by the House of Representatives. In the House the proponents of the bill now pending before the Senate have done everything possible to forestall consideration by the House of the bill the Senate passed in December. The bill could have been passed by the House 2 weeks ago, if it had not been for the desire of Members of the House who have been advocating the Federal ballot to get another bill before the Senate and to have a rehearing of the subject on that bill.

Mr. President, even under Public Law 712, which was passed last year, it was perfectly possible to give the soldiers the ballot. That law provides that today, on the 1st of February, postal cards shall be distributed throughout the world in order that application for ballots may be made by the soldiers. The distribution of those postal cards is being postponed. Ten or twelve million postal cards have been printed; but their distribution is now held up because of the introduction in the Senate of another bill on the subject, after the Senate has already considered and passed one. That certainly represents legislative procedure of a type which I have never seen since I have been in the Senate.

Mr. BREWSTER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Ohio yield to the Senator from Maine?

Mr. TAFT. I yield.

Mr. BREWSTER. Is it not also a fact that repeatedly in the other body unanimous consent has been requested by the Republican Members for the immediate consideration of the bill which has been sent to the House by the Senate, but that in the House even opportunity for the unanimous-consent request to be presented has been refused?

Mr. TAFT. Yes; the Senator states the fact.

In other words, Mr. President, it seems to me that it is the insistence of those who are in favor of a Federal ballot which is preventing the soldiers from getting the State ballot and, in my opinion, the State ballot is the only kind of ballot which really is a ballot, the only means of really giving the soldiers the kind of vote they desire.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BARKLEY. I merely wish to observe in response to the suggestion made by the Senator from Maine—I do not desire to get into a discussion relative to House procedure—that it is always easy to make a political gesture by requesting unanimous consent for the con-

sideration of a measure when such a gesture does nothing to those who are supposed to be making the suggestion.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BREWSTER. If the Senator from Kentucky will examine the RECORD in the House, he will find that the Speaker of the House stated to the minority leader who made the request that he did not recognize him for such a purpose. What I have stated is borne out by the official record.

Mr. BARKLEY. Mr. President, under the rules of the House it is always within the jurisdiction of the Speaker to determine whom he will recognize for any purpose. The Speaker had enough sense to know the political object of the minority leader—if that can be brought into the debate—when he asked unanimous consent for the immediate consideration of a bill which in my judgment, with all due respect to the Senator from Maine, would grant no opportunity whatever for voting by the soldiers, sailors, and marines of the United States.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BREWSTER. Am I to understand, then, from what has been said by the Senator from Kentucky, that the request came at the conclusion of the reading of the message of the President of the United States to the Congress?

Mr. BARKLEY. Yes; as a political gesture to try to destroy the effect of the President's message.

Mr. BREWSTER. Mr. President, the Senator from Ohio has yielded to me, and I desire to proceed for a moment or two without interruption.

The PRESIDING OFFICER. The Senator from Ohio has the floor. To whom does he yield?

Mr. TAFT. I yielded to the Senator from Maine.

Mr. BREWSTER. Mr. President, if I may now resume, I had said that I understood that the request came immediately after the President of the United States had sent to the Congress what I think everyone has agreed is a somewhat unprecedented message. I do not think that even the members of the majority have defended some of the language the President used in that message. The President particularly requested that consideration be expedited. He thought it was intolerable that there should be this delay in consideration. Those were his charges to the Congress of the United States, of which the leader of the majority has been so distinguished and honored a Member.

So, Mr. President, in the House the leader of the minority very properly said that he would present a request for immediate consideration of that measure on the House floor; but the Speaker of the House said he refused to recognize him for such a purpose.

I think the soldiers of this country are able to understand where the responsibility for delay rests in connection with that measure, so far as the other body is concerned.

Mr. TAFT. Mr. President, I should like to say a word. From the time the Eastland substitute reached the House, there was never any doubt that the majority of the Committee on Elections in the House was in favor of that measure. Consideration was postponed by the chairman of the committee, who was in favor of a Federal ballot. The bill was finally reported, and went to the Rules Committee. It was perfectly clear that the Rules Committee favored a State ballot, and was in favor of granting a rule. The chairman of the Rules Committee did all he could to delay consideration of the bill. The chairman of the Rules Committee then carried around in his pocket until last Tuesday the report which was finally made by the Rules Committee. It could have come up then, but the Speaker of the House and the majority leader took the full length of time, 7 days, before they were willing to give effect to the rule granted by the Rules Committee. So consideration of the bill has been delayed in the House until today. I have little doubt that the Speaker and the majority leader will find some way by which to postpone consideration in the House of the Senate bill, which gives the soldiers a State ballot.

It seems to me, Mr. President, that the quickest way, if we wish to give the sollet the Senate either agree to the House pass the bill which is before it, and then let the Senate either agree to the House amendments or send the bill to conference.

If we should pass the pending bill and the House should pass the Senate bill which is before it, which it is very likely to do, how much more delay there would be I cannot even presume to say. I do not know what the procedure would be. I have never heard of a condition in which the House substantially accepted a Senate bill and the Senate said, "No; we do not want it any more. We are going to pass another bill." Is the House going to take up the second bill, to which the Elections Committee is opposed, or will there be a conflict between the Senate and the House, in which the House will take the perfectly justifiable position that the Senate has passed one bill, that the House has substantially agreed to that bill, and that it sees no reason why it should now consider a second bill?

If we are really interested in giving the soldiers a vote, in getting the postal cards out, and letting the State legislatures meet and enact laws which will give the soldiers a real State ballot, the way to do it is to let the House pass the Senate bill, send it to conference, and work out the best possible form of State ballot in conference.

Mr. McCLELLAN. Mr. President, I think I agree with a great deal that has been said by both the distinguished majority leader and the Senator from Ohio. It is unfortunate that we are spending so much time on this proposed legislation. I do not mean that it is unfortunate that we should try to enact a law which would give the soldiers the right to vote; but having passed a bill in the Senate, and the bill now being in the House of Representatives, where it is be-

ing considered, we find the situation today as described by the Senator from Ohio. We have now spent more than a week considering a second bill dealing with the same subject, a bill which is in many respects like the bill which the Senate rejected, a substitute for which was passed by the Senate and is now pending in the House of Representatives.

Mr. President, I had hoped that in the course of further consideration of this problem a constitutional measure might have been offered, whereby the Congress could give to as many soldiers as possible the right to vote in the coming election, insofar as we have the power to do it, within the constitutional processes. Unfortunately no compromise has been worked out, and the issue remains substantially the same as it was when the Senate, in December, rejected the original Green-Lucas bill and passed a bill undertaking to give the soldiers the vote in a constitutional manner, without tearing down the constitutional provisions of many of the States of our Union, and without abrogating State laws, in order to be able to say that we gave the soldiers an opportunity to vote.

I was one of the coauthors of the substitute bill previously passed by the Senate. Those of us who have some conviction about the Constitution of the United States and who have a desire to conform our actions to the provisions of that immortal document have been attacked and charged with being insincere. It matters very little to me, Mr. President, what others may say or do. I took an oath to support the Constitution of the United States; and I will not knowingly violate that oath, whatever the criticism may be, and from whatever source it may come.

The bill pending before us today starts with the provision in the first section, that Public Law 712, Seventy-seventh Congress, be amended by inserting after the enacting clause the word "Title I" and striking out sections 3 to 15, inclusive, and inserting in lieu thereof new matter.

My first objection to the pending bill is that we are undertaking by this action to amend a law now on the statute books which in my opinion is unconstitutional. I was not a Member of Congress when Public Law No. 712 was enacted. Had I been a Member of this body, and had I understood the implications of the measure at that time as I do now, I would have certainly opposed its enactment.

In his message the President says that Public Law 712 has been wholly ineffective to accomplish the purposes which it was designed to accomplish. We are asked by this bill to repeal all the provisions of Public Law 712 except the first two sections, which, according to my belief and interpretations, are unconstitutional. The Congress is without authority under the Constitution to enact such a law. Because it has been demonstrated that Public Law 712 is ineffective to accomplish the results sought, we are now asked to amend it and to retain the unconstitutional provisions in it. Therefore I cannot vote for the pending bill in its present form. I cannot give sanction by my vote to amending the

existing law, which, according to my interpretation, is unconstitutional, however expedient it may be to achieve the desired objective. I cannot vote to amend Public Law 712 and at the same time retain in it sections 1 and 2, thus giving approval by my vote to an effort to make effective an unconstitutional provision of existing law. For that reason I shall oppose the bill unless it is so amended that sections 1 and 2 of Public Law 712 are repealed.

So long as we are undertaking, by this bill or any other, to amend that law with those sections in it, I shall oppose it.

We have reached the point in America where expediency in accomplishing a desired result in legislation is given preference in our consideration and action over the constitutional provisions to which we are expected to conform our actions in the enactment of bills, and which we have taken an oath to support.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MILLIKIN. The distinguished Senator is aware of the rule which I believe is followed by all courts—it certainly is followed by the Supreme Court—that every reasonable doubt shall be resolved in favor of the constitutionality of a law, because of the desire of the courts not to find themselves acting as a legislative body, and to avoid conflict between independent agencies of the Government. Is that not correct?

Mr. McCLELLAN. The able Senator is eminently correct.

Mr. MILLIKIN. Does it not follow that if we fall into habits of expediency, and if we do not give attention to reasonable doubts as to constitutionality, we shall be compounding doubts, and in the end we shall bog down the Constitution with unconstitutional legislation?

Mr. McCLELLAN. I say to the able Senator and to my colleagues that the responsibility for constitutional government does not rest upon the Supreme Court alone.

Mr. MILLIKIN. Mr. President, will the Senator further yield?

Mr. McCLELLAN. I gladly yield.

Mr. MILLIKIN. Has the Senator heard any suggestion on the floor of the Senate which would overcome the argument that at least there is reasonable doubt as to the constitutionality of this measure?

Mr. McCLELLAN. I have not heard any Senator take the position that there is not some reasonable doubt as to the constitutionality of the measure. On the other hand, yesterday I heard a very able Senator for whom I have the highest respect say that although he will support the bill, so far as the fundamental law was concerned and the principles involved, he was rather under the impression that the opposition to this bill is correct in the position it has taken.

Mr. MILLIKIN. Is it not a fact that the proponents of the bill recognizing the constitutional doubts, have proposed to leave to the States the decision on the doubts which is an evasion of our own duty?

Mr. McCLELLAN. I understand that is true.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. BUSHFIELD. Statements were made on the floor prior to the distinguished Senator's remarks to the effect that the provisions of section 14 (a) were in conflict with the provisions of sections 1 and 2 of Public Law 712. It is an established rule of law, well recognized by all the courts, that if a legislative body enacts a law subsequent to the enactment of some other law, and there appears to be a conflict between them, the measure last enacted shall prevail. I should like to have the Senator discuss the question whether or not the enactment of section 14 (a) would have any effect on sections 1 and 2 of Public Law 712.

Mr. McCLELLAN. As I interpret section 14 (a) in the bill as now written, it would not repeal sections 1 and 2 of Public Law 712. The best answer, if the Senator has any doubt about it, is what the proponents of this measure say about it. If they had wanted to repeal sections 1 and 2 of Public Law 712, they would have proposed to repeal all of Public Law 712. But they retain sections 1 and 2. We are being asked to pass this bill as an amendment to Public Law 712, and section 14 (a) as now written in the bill would not repeal sections 1 and 2 of the present statute.

Section 14 (a) is a little vague as to just what it is intended to do. It appears to imply that the State election officials shall have final jurisdiction in determining the validity of ballots. However, as I pointed out in my brief remarks yesterday, I am not sure whether I referred to it, but I had in mind that a ballot may in all respects be valid; it may conform to the law with respect to its size and with respect to the names of different candidates or different nominees printed upon it; it may be voted correctly; it may be certified correctly; and it may have all the aspects of validity, and at the same time be an invalid ballot because of the lack of qualifications of the person who cast it. For that reason section 14 (a) only gives to the local election officials the right to determine the validity of the ballot, but it does not say whether the determination shall be under Public Law 712 as amended by this bill or whether the officials shall determine the validity of the ballot in accordance with the laws of the State. For that reason section 14 (a) is vague, uncertain, and needs clarification. If it goes on the statute books as now written no one can be certain about what was the intent of Congress. I do not believe any proponent of the bill will say that it is intended that it shall repeal sections 1 and 2 of Public Law 712, and I do not believe the proponents of the bill intend that it shall be interpreted to mean that State election officials shall have authority and jurisdiction to determine the qualifications of the person casting the ballot, which is essential in finally determining the validity of the ballot. I believe it is the intention of the sponsors of this bill under section 14 (a) to have the validity of the ballot determined in

accordance with Public Law 712 as amended by this bill.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MILLIKIN. I should like to suggest that the local State officials do not even have the right to consider the validity of a Federal ballot. The State officials operate entirely under State law so far as electors for President or Vice President are concerned. Under the Constitution the exclusive power to determine the method of selecting electors for President and Vice President is in the State legislature. The State legislature has the power to delegate its functions to local election boards and precinct officials. However, those persons operate entirely under State statute. They have no common-law duties. They have no general authority to consider the validity of ballots. If we give weight to our Federal Constitution they can operate only under the authority given to them by the State legislature. We have no authority to enact section 14 (a). For reasons which I have mentioned, I respectfully suggest that we have no authority to place in the hands of State officials the judging functions as to these ballots.

Mr. McCLELLAN. I think the Senator from Colorado is correct.

Mr. EASTLAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Mississippi?

Mr. McCLELLAN. I yield to the Senator from Mississippi.

Mr. EASTLAND. I think that the interpretation the distinguished Senator has placed on section 14 (a) is the correct one. Now I ask the Senator this: Suppose the local election officials should take the position that sections 1 and 2 of Public Law 712 are unconstitutional and therefore should not count a large body of ballots in their State; and suppose—and I think this is, at least, a reasonable assumption—that the next House of Representatives should not be controlled by the political party which carried the States in which a great number of votes were thrown out by the local election officials; does not the Senator think that there is ground for a reasonable assumption that there would be a contest over the Presidency of the United States and that the House of Representatives would be tempted to throw out the electoral votes of those States because sections 1 and 2 of Public Law 712 were not complied with? The House of Representatives certainly could not say that it passed an unconstitutional act, that it stultified itself. Would it not have to give force and effect to its own act in passing Public Law 712 and refuse to count the electoral votes in States embracing a large section of the country?

Mr. McCLELLAN. The Senator may be correct. I am not so much concerned about an election contest. I can see such a possibility; but no one can foresee or know now whether the vote in any particular race for the House of Representatives or the United States Senate or for the Presidency will be close. I do not know; but I do know, indeed, it is fundamental with me, that when we

depart from the Constitution and subjugate the plain provision of our organic law to expediency we are traveling a dangerous road, and some day our action will come home to plague us in the United States Senate.

My colleagues, let me tell you that if our boys are fighting for anything, they are fighting to preserve constitutional government, a government of laws, not a government of men. That is what they are fighting for. I owe, and I believe my colleagues with me owe, a solemn duty to them while they are giving their all to preserve and to make secure all that we have cherished, all that we boast of as our precious heritage—we owe it to them to be faithful in the performance of our duties here.

I desire to say, Mr. President—and I made reference to it yesterday—that if the time has come when expediency is to prevail; if, as someone has suggested—I do not believe during this debate, but when this matter was under discussion in the Senate in November and December of last year—the right to vote is paramount to the integrity of the Constitution of the United States, then, Mr. President, according to my judgment, the Constitution is meaningless.

Certainly I want the soldier to vote; I do not have a colleague in the Senate who would dare challenge that statement for one moment, and I know it; but I say again that if the time has come when we must yield to expediency and disregard the Constitution and law in order to give our soldiers the right to vote, then, Mr. President, I want incorporated in this bill an amendment—and I shall offer it at the proper time—to pare down the age barrier. This is said to be a war measure, and if war impels us to be expedient and to disregard the Constitution, then the same impelling reason justifies us in removing the age barrier to everyone who wears the uniform of his country.

Why should we discriminate? We are trying to give the soldier a constitutional ballot; we are trying to preserve the integrity of his vote; but if we are not going to do that, if we are going to let down the bars, then Mr. President, I do not want two and a half million young boys serving their country to be discriminated against. I want them, too, to have a right to say who shall be their Commander in Chief while they continue to fight on the fields of battle. I want them to have a voice in who shall represent them in the National Congress.

I wonder, Mr. President, when this amendment is presented, how many of us will be ready to do what the President said—stand up and be counted? I should like to have a record vote on such a proposal.

If the fact that a boy or a man in uniform is fighting and dying for his country makes it necessary for us to disregard the fundamental law of the land in the performance of our duties here while he is fighting, if that is necessary, then, Mr. President, I want us to stand up and be counted on the question—on the issue whether we are ready to extend that privilege to all soldiers—for I believe a boy 18 years old, from every moral

standpoint and every legal standpoint, except the Constitution and the fundamental laws of the land, is just as much entitled to have a voice in government if he is going to be offered on the altar of sacrifice for his country as those who have attained their majority.

Mr. WILLIS. Mr. President—
The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Indiana?

Mr. McCLELLAN. I yield to the Senator from Indiana.

Mr. WILLIS. Does the Senator believe that there is a single Member of the Senate who is afraid to stand up and have his vote counted on this measure, and is there anyone who would seek to hide behind parliamentary tricks to avoid such a record being made?

Mr. McCLELLAN. No; I certainly do not believe it; and I thought the implication or insinuation that we were afraid was unjustified. I am perfectly willing to stand up and be counted and have my vote recorded not only on the bill itself on final passage but on any amendments which may be offered to it.

Mr. WILLIS. I firmly believe that the Senator is expressing the sentiments of every Member of the Senate.

Mr. McCLELLAN. I trust I am, I believe I am, and I have that confidence and faith in my colleagues.

Mr. OVERTON. Mr. President, will the Senator yield in that connection?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Louisiana?

Mr. McCLELLAN. I yield to the Senator from Louisiana.

Mr. OVERTON. Last December at the time the substitute bill introduced by the Senator from Arkansas, the Senator from Mississippi, the Senator from Tennessee, and possibly one or two other Senators, was offered for the committee bill, did not the proponents of the substitute bill ask for a ye-a-and-nay vote, was not a ye-a-and-nay vote ordered, after being properly seconded, and was not the roll called and each Senator recorded whether he was for or against the substitute?

Mr. McCLELLAN. I think the Senator is absolutely correct.

Mr. OVERTON. I do not think there is any question about that. There was a ye-a-and-nay vote in the Senate on the substitute bill. I voted "yea"; the Senator from Tennessee voted "yea"; the Senator from Arkansas voted "yea."

I do not think there is any doubt about that. The RECORD would show. The majority of the Senate voted for the substitute bill. Senators stood up and were counted. There was no attempt to practice a fraud by not being counted, and by not having our vote appear in the RECORD. Everything done was done openly and aboveboard.

Mr. McCLELLAN. Mr. President, let me say to the Senator that I am glad we got a record vote on the measure, and I am not ashamed of my vote. I am of the same opinion I then entertained, and I am willing to vote again accordingly.

Mr. President, I now wish to call attention to an editorial in the Washing-

ton Star of the 28th of last month, which in a few moments I shall ask to have inserted in the RECORD in connection with my remarks. The editorial was entitled "The Service Vote Message," and I quote one paragraph from it, as follows:

Actually, far from being a fraud—

Speaking of the bill the Senate passed—

Actually, far from being a fraud, the Senate resolution, despite its virtual ineffectiveness, can be defended as being more in conformity with the basic law of the land than the bill it replaced.

I do not like the word "fraud," but if we are to have to talk about it, I wish to say that the fraud of the bill the Senate passed is a vest-pocket edition compared with that of the one we defeated in voting down the Green-Lucas bill.

Mr. OVERTON. In order to refresh the memory of the Senator—and I can get the RECORD in a moment—there were 44 yeas in favor of the substitute—

Mr. McKELLAR. May I interrupt the Senator?

Mr. OVERTON. I yield.

Mr. McKELLAR. The yeas were 42, and the nays were 37. In order that there may not be any doubt or question as to the yeas and nays on the bill, and any other yeas and nays which may have been taken at the time, I ask the Senator from Arkansas if he will not insert a copy of the vote in his remarks at this point. I think it would be very wise to do that, so that those of us who voted for the substitute will have the benefit of the RECORD to show that we were not trying to hide behind secrecy in any way in the world, but that we openly voted on the floor of the Senate; and I think our side asked for the yeas and nays, if I remember correctly. But whether or not we did, we voted openly, in the presence of the Senate, in the presence of the public, our just convictions on the bill. I hope the Senator will have the ye-a-and-nay vote appear in the RECORD at this point.

Mr. McCLELLAN. I am glad to comply with the Senator's request, and I ask unanimous consent that at this place in my remarks the vote on the original Green-Lucas bill, the final vote, and the vote on the so-called Eastland-McClellan-McKellar substitute, be inserted in the RECORD at this point.

Mr. McKELLAR. There was only one vote, because when the Eastland-McClellan-McKellar substitute was voted on, it was adopted, and that ended the matter.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and it is so ordered.

(The vote referred to is as follows:)

(Vote on Eastland-McClellan-McKellar amendment in the nature of a substitute for the bill (S. 1285) to amend the act of September 16, 1942, which provided a method of voting in time of war by members of the land and naval forces absent from the place of their residence, and for other purposes)

Mr. EASTLAND. * * * Mr. President, I think the substitute should be agreed to. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. BANKHEAD (after having voted in the affirmative). I have a general pair with the senior Senator from Oregon [Mr. McNary]. I transfer that pair to the junior Senator from Utah [Mr. Murdock], and permit my vote to stand.

Mr. HILL. I announce that the Senator from Washington [Mr. Bone], the Senator from Georgia [Mr. George], and the Senator from Virginia [Mr. Glass] are absent from the Senate because of illness. I am advised that if present and voting, the Senator from Washington would vote "nay."

The Senator from Texas [Mr. Connally], the Senator from California [Mr. Downey], and the Senator from Missouri [Mr. Truman] are detained on public business.

The Senator from Utah [Mr. Murdock] and the Senator from Oklahoma [Mr. Thomas] are absent on official business.

The Senator from North Carolina [Mr. Reynolds] is necessarily absent.

The Senator from North Carolina [Mr. Reynolds] is paired with the Senator from Missouri [Mr. Truman]. I am advised that if present and voting, the Senator from North Carolina would vote "yea," and the Senator from Missouri would vote "nay."

Mr. WHITE. The Senator from Oregon [Mr. McNary], the Senator from Minnesota [Mr. Ball], and the Senator from South Dakota [Mr. Bushfield] are absent because of illness.

The Senator from Maine [Mr. Brewster] is necessarily absent.

The Senator from Wisconsin [Mr. La Follette] is confined to his home with a cold.

The Senator from South Dakota [Mr. Gurney] is absent because of a death in his family. He has a pair with the Senator from Oklahoma [Mr. Thomas]. I am not advised how either Senator would vote if present.

The Senator from New Hampshire [Mr. Bridges] is detained on official business.

The result was announced—yeas 42, nays 37, as follows:

Yeas, 42: Andrews, Bailey, Bankhead, Bilbo, Buck, Butler, Byrd, Capper, Caraway, Clark of Missouri, Danaher, Eastland, Ellender, Gerry, Hawkes, Hill, Holman, McCarran, McClellan, McKellar, Maybank, Millikin, Moore, Nye, O'Daniel, Overton, Reed, Revercomb, Robertson, Russell, Scrugham, Shipstead, Smith, Stewart, Thomas of Idaho, Tobey, Tydings, Walsh of Massachusetts, Walsh of New Jersey, Wherry, White, and Willis.

Nays, 37: Aiken, Austin, Barkley, Brooks, Burton, Chandler, Chavez, Clark of Idaho, Davis, Ferguson, Gillette, Green, Guffey, Hatch, Hayden, Johnson of Colorado, Kilgore, Langer, Lodge, Lucas, McFarland, Maloney, Mead, Murray, O'Mahoney, Pepper, Radcliffe, Taft, Thomas of Utah, Tunnell, Vandenberg, Van Nuys, Wagner, Wallgren, Wheeler, Wiley, and Wilson.

Not voting, 17: Ball, Bone, Brewster, Bridges, Bushfield, Connally, Downey, George, Glass, Gurney, Johnson of California, La Follette, McNary, Murdock, Reynolds, Thomas of Oklahoma, and Truman.

So the amendment, as modified, in the nature of a substitute, proposed by Mr. Eastland, for himself, Mr. McClellan, and Mr. McKellar, was agreed to.

Mr. TOBEY. Mr. President, I move that the vote just taken be reconsidered.

Mr. MCKELLAR. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. The bill is before the Senate and open to further amendment. If there be no further amendment to be proposed, the question recurs on agreeing to the committee amendment as amended by the so-called Eastland substitute.

The amendment as amended was agreed to.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The VICE PRESIDENT. The bill having been read the third time, the question is, Shall the bill pass?

Mr. GUFFEY. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is, Shall the bill pass?

The bill S. 1285 was passed.

Mr. MCCLELLAN. Mr. President, since the word "fraud" has been mentioned, I wish to refer to the remarks of some of my colleagues yesterday. When the junior Senator from New Mexico [Mr. Chavez] was addressing the Senate, he made this statement:

I make this statement for the further reason that I personally do not feel that it is in keeping with the dignity of the Senate to have Senators on both sides of the aisle accusing their colleagues of trying to perpetrate a fraud upon the American people because they feel one way or the other.

I commend the Senator for that statement. I do not like to feel that those who disagree with me are seeking to do something that is reprehensible. I hope I shall never come to the point where I cannot honestly disagree with those with whom I am associated as I am with my colleagues here without impugning their motives when their votes are not in accord with my own.

I very much appreciate, too, Mr. President, the remarks of the senior Senator from Illinois [Mr. Lucas], one of the sponsors of the bill; when, in response to what the Senator from New Mexico said, which I have just quoted, he immediately stated:

I agree with the Senator with respect to the word "fraud." I do not agree with the President when he uses that word in the message he sent to the Congress.

Mr. President, I should not be willing to commit a fraud on anyone, but I have a son in uniform, and I ask, Would I commit a fraud against that boy? The charges made are pretty serious. I would not commit a fraud against any mother's son who wears a uniform.

Mr. President, so long as I have the strength to follow the dictates of my own conscience, whenever a bill that is proposed is, in my opinion, in violation of the Constitution and the rights of the people whom I represent, I will oppose the passage of such a measure, irrespective of criticism from high or low sources, and when I cannot longer follow that course, or when I may be unwilling to do so, I shall not be worthy to continue to serve as a representative of the people of my great State in this body, which is the highest, and which should be the most dignified lawmaking body in the world.

Mr. MCKELLAR. Mr. President, will the Senator from Arkansas yield?

Mr. MCCLELLAN. I yield.

Mr. MCKELLAR. I hope the distinguished Senator from Arkansas will excuse me for referring not only to his splendid young son, about 16 or 17 years of age, who is now serving in the armed forces of the country, but also to an-

other son, who nearly a year ago gave up his life for his country in north Africa. Leveling the accusation of fraud at a Member of this body who lost a son in this war while fighting for his country, and who has another son not yet 18 years of age who wears his country's uniform, because the Senator votes for an honest bill, one seeking to give the soldiers the right to vote in elections, is going further than I should be willing to go under any circumstances.

If there ever was a man who would be honest in casting his vote in this body, it is a father such as the Senator from Arkansas [Mr. McClellan], who, as I have said, has already lost one son in the service of his country, and has another in uniform 17 years of age. He would vote his honest sentiments at any time, especially when it came to a measure affecting his sons.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. MCCLELLAN. I yield.

Mr. MILLIKIN. With reference to the charges of fraud, I should like to bring to the Senate's attention a part of a message from President Lincoln to the Congress in 1862, in the middle of the War between the States. President Lincoln said:

I do not forget the gravity which should characterize a paper addressed to the Congress of the Nation by the Chief Magistrate of the Nation. Nor do I forget that some of you are my seniors, nor that many of you have more experience than I in the conduct of public affairs. Yet I trust that in view of the great responsibility resting upon me, you will perceive no want of respect to yourselves in any undue earnestness I may seem to display.

Mr. MCCLELLAN. I thank the Senator from Tennessee and the Senator from Colorado.

Mr. President, I had no thought of continuing my remarks for this length of time. I want the soldier to vote. Certainly I do not fear his vote. I am not a candidate this year. I am a Democrat and am going to remain one. If I were a candidate in the coming election I know of no group of people or class whom I would rather have sit in judgment upon my record and upon my effort as a public servant, and in whom I have greater faith, than the servicemen of this Nation and the ex-service men of my country. I have nothing to fear from them.

Mr. MCKELLAR. Mr. President, will the Senator yield?

Mr. MCCLELLAN. I yield.

Mr. MCKELLAR. In going over the bill which is now before the Senate I find quite a remarkable situation. Title I of the bill authorizes and directs the Commission to obtain the services of the Army and Navy and Marine Corps in order that servicemen may vote for those covered by title I, that is Presidential electors, Representatives, and Senators. It is almost a command that those votes be gathered and sent to the proper States and cast.

But when it comes to title II, referring to State officials, ah, the situation is entirely different. We find there but few mandatory words. Those covered

by title II are in one class, a preferred class. Apparently the word "priority" is used to apply to them. But when it comes to voting for State officers the situation is very different. The Secretary of War and the Secretary of the Navy declare that they do not have the shipping space and the aircraft space to carry all the State ballots and notices to the servicemen and bring them back. But the gravamen of the bill, if we may so speak of it, seems to be an effort to see to it that the class covered in title I shall be looked after, that is, electors, Representatives, and Senators.

Mr. President, is not the soldier in Italy or in the Pacific, or wherever he may be, as much entitled to have his vote cast and counted for State officers as his vote for Federal officers? Why should there be a distinction? Why should the Federal Government, without constitutional authority, as I believe, create a preferred class for voters in the Army and say, "It is all right, we will fix it so you can vote for Presidential electors, and you can vote for Representatives and for Senators, but we will make another class with respect to State offices, and help you out if we can in respect to them, if it is compatible with the situation at the front, or wherever you may be. We will help you out if we can. We give priority to the first class. We will do the best we can for the second class."

Mr. President, I wish to ask the Senator from Arkansas a question. If we are looking at this matter from the standpoint of the soldier, why do we not undertake to give the soldier the right and opportunity to vote for both classes of officials, for State officials as well as for national officials? Why do we make fish of one and fowl of the other? Why do we, under the provisions of the bill itself, give priorities to ballots to be cast for national officers?

Mr. President, it looks to me as if we are undertaking to deal with national officers because we are more interested in them. Is that the soldier's position? Suppose a boy in Italy has a mother in Davidson County, Tenn., who is running for public office, say for county court clerk, or say he has a father or an uncle running for sheriff in that county. Why should not that boy have the right to vote for the candidate for county court clerk, who may happen to be his mother, or for some kinsman who is running for Governor? Why should he not have as much right to vote for him as for Presidential electors, or Representatives, or Senators?

Are we looking at this matter, Mr. President, from the standpoint of the soldier, or are we looking at it from the standpoint of our own interest? Are we worked up about the rights of the soldier, or are we worked up about our own interest in this matter?

Mr. President, I know the Senator from Arkansas believes that we ought to give the right to all those soldiers to vote for the State candidates as well as the national candidates, and on terms of perfect equality. Does the Senator agree with me on that proposition?

Mr. McCLELLAN. I agree with the Senator. I do not believe we have the

constitutional right to place priority on the so-called Federal ballot over the State ballot.

Mr. McKELLAR. I agree with the Senator entirely with respect to that matter.

Mr. VANDENBERG. Mr. President—The PRESIDING OFFICER (Mr. WALSH of New Jersey in the chair). Does the Senator from Arkansas yield?

Mr. McCLELLAN. I yield.

Mr. VANDENBERG. The discrimination to which the able Senator from Tennessee refers goes even further than he indicates.

Mr. McKELLAR. Yes; it does.

Mr. VANDENBERG. It applies to the entire State absentee ballot, including the vote for Presidential electors and Representatives and Senators.

Mr. McKELLAR. The Senator's statement is correct.

Mr. VANDENBERG. It is a discrimination against the entire State absentee ballot.

Mr. McKELLAR. Yes.

Mr. VANDENBERG. I simply wish to say to the Senator that that subject has had rather prayerful consideration. I am offering an amendment which substantially brings the obligation under title II, insofar as it is physically applicable, under the same terms that apply to the transmission and delivery of ballots under title I, and I am glad to say to the Senator from Tennessee that the Senator from Illinois [Mr. LUCAS] has agreed to accept the amendment. So we are making some progress in the direction the Senator indicates. I say this to him because I so cordially agree that the dignity of the State ballot under this law should equal the dignity of the Federal ballot.

Mr. BREWSTER. Mr. President—

Mr. McCLELLAN. I shall yield to the Senator from Maine after the Senator from Tennessee has concluded.

Mr. McKELLAR. Mr. President, the Senator from Michigan is entirely correct. I am very happy that he is going to offer the amendment. But that is just one of the many defects in the bill as it is before the Senate today. I do not know whether the Senator's amendment will be agreed to, but I hope it will be. It will help somewhat, even in an unconstitutional measure, as I believe the pending bill to be.

But, Mr. President, think of what is proposed in this bill. We have offered to us the proposition of dealing with a subject with which under the Constitution we have no right at all to deal. The proposal is that we take that right away from the States, and say, "We are going to establish two classes of voters hereafter. One will be the national voters, and the other will be the State voters. We are going to put the State voters in the second class."

Mr. President, I am not in favor of that. I am not in favor of it at all. I am utterly opposed to it. If the Senator's amendment is agreed to, it will improve the bill a little, though not very much.

Mr. BREWSTER and Mr. O'DANIEL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Arkansas yield; and if so, so whom?

Mr. McCLELLAN. I yield first to the Senator from Maine, to whom I had previously promised to yield.

Mr. BREWSTER. Mr. President, I wish to inquire of the Senator from Michigan, in connection with his amendment, in which I am very much interested, whether it is contemplated that the ballots sent by the States will go via air mail and without postage.

Mr. VANDENBERG. My understanding is that the ballots will go without postage, and will go by air mail, if possible.

Mr. BREWSTER. Let me inquire where provision to have that done is to be found?

Mr. VANDENBERG. I cannot give the Senator the immediate reference. I shall look it up.

Mr. BREWSTER. In my examination of the proposal, I was not clear regarding that point. It did not seem clear whether the ballots would go by air mail and whether they would be sent without postage and would be returned without postage.

Mr. VANDENBERG. Certainly that is desirable.

Mr. BREWSTER. If those points are not clear, I hope they will be made clear.

Mr. O'DANIEL. Mr. President, will the Senator yield to me?

Mr. McCLELLAN. I yield.

Mr. O'DANIEL. I desire to express to the junior Senator from Arkansas my appreciation for the splendid address he is making and to congratulate him on the remarks he has made. I think I can share the feeling which must be running through his mind as he stands here to defend his position against the charge of fraud against the members of our armed forces because he voted for a certain bill; because I, too, voted for that bill, and I, too, have two sons in the service of the American forces. I do not think anyone should accuse Senators of practicing fraud when we vote our just convictions.

Of course we want the soldiers to vote. I want my boys to vote; I have that desire to such an extent that, although I am bitterly opposed to the payment of a poll tax as a prerequisite to voting, I have arranged for the payment of the poll taxes for my sons who are in the Army in order that they may vote, and I want all members of our armed forces to have the right and opportunity to vote.

So it is rather hard for us in the Senate, performing our duty, to be accused of practicing fraud when we vote our just and honest convictions.

Mr. President, at this time I should like to read one of the many letters I have received from citizens of Texas and of other States regarding the pending measure. The letter I hold in my hand comes from Dr. Thomas A. King, M. D., of Vernon, Tex. It is dated January 26, 1944, and is addressed to me:

VERNON, TEX., January 26, 1944.

Senator W. LEE O'DANIEL,
Washington, D. C.

DEAR SENATOR: Judging from the crocodile tears exuding from the tear ducts of a few

frightened, self-interested politicians over the soldier's vote, one would presume that the soldier wading through the jungles of the South Sea Islands, that the soldier baking in the heat of north Africa, and the soldier shivering in the mountain crevices of Italy were all wrought up and preoccupied with the question of voting in the 1944 Presidential election. As a matter of fact and of record, not over 50 percent of our soldier boys availed themselves of this political privilege even during peacetime.

Being a veteran of World War No. 1 and the father of one of these boys, I feel safe in asserting that the great majority of them have the same complete confidence in the home folks handling satisfactorily the political problems of the home front, as the home folks have in the ability of these soldiers to master the military problems arising on the battlefield. Both of these groups, being bound together by inseparable family ties and imbued with a common purpose, realize that the duties peculiar to each group will be performed by that particular group to the best interests of the indissoluble whole. It is evident that much of the present hullabaloo and emotionalism raised over this question is traceable to the selfish self-seeking politician who would manipulate the soldier vote for his own personal gain.

Contrary to the false accusation of this bunch of emotion dispensers, the American people are united in the common desire to extend the right of franchise to every soldier who wishes to vote. The whole controversy centers upon a difference of opinion as to the best and safest means of accomplishing the desired end. One faction would follow the requirements of the Constitution by permitting each State to make the necessary legal changes and arrangements in their election laws to accommodate this vote and thereby insure an orderly and fair election. The opposing faction would by-pass the national and State constitutions and set up some loose, ill-conceived national election machinery upon every far-flung battlefield, where the manner of safeguarding the franchise would be mere conjecture and subject to the greatest political steal of the centuries.

Since our boys are dying to preserve constitutional democracy, it is safe to presume that if they vote they will demand to vote in accordance with the requirements of this Constitution.

The New Deal has ransacked our public Treasury. It has squandered our gracious heritage. It has by tampering with the courts destroyed the faith of the people in the judiciary. It has dealt a death blow to the spirit of self-reliance by accustoming the people to rely upon Federal handouts. It has silenced the independence of the individual through the use of the purge and other means of retaliation. Not content with these blows against democracy the New Deal now demands that the ballot boxes of the various States be thrown wide open to its political chicanery. As I see it unless the same degree of unselfish patriotism as is manifested by the boys on the battle front is shown by you Members of Congress the day is at hand when another Hitler will rule America.

Yours truly,

THOS. A. KING.

I thank the Senator from Arkansas for yielding to me.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. LUCAS. Let me ask the Senator from Texas one question: Does he adopt the language in that letter as his own?

Mr. O'DANIEL. Mr. President, I have simply read the letter as expressing the opinion of Dr. Thomas A. King, of Vernon, Tex.

Mr. LUCAS. Yes, Mr. President; but the Senator has read the letter before the Senate of the United States. I am asking the Senator the simple question, Does the Senator from Texas adopt as his own the language he has read to the Senate?

Mr. O'DANIEL. Mr. President, I answered the Senator. I read the letter as expressing the opinion of Dr. Thomas A. King.

Mr. LUCAS. I understand that the Senator has done so. He has read that opinion here as the opinion of some other person. In the letter the Senator has read that the person who wrote the letter charges the sponsors of the bill with conspiracy and political manipulation in stealing the ballots of the soldiers in the 1944 election. All I desire to know is whether the Senator from Texas subscribes to what he read.

Mr. O'DANIEL. Those remarks in that letter were not read as expressing my sentiments. I do not subscribe to every word he has chosen to use in his letter. I have read the letter from Dr. Thomas A. King as expressing his opinion.

Mr. LUCAS. Mr. President, then why did the Senator read it?

Mr. O'DANIEL. Because I wanted to read it. I have the right to read it. I believe it may prove to be beneficial for Senators to listen to the voice of the people of this Nation, as expressed in their own way in letters like this and others which are read on the Senate floor from time to time.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. McCLELLAN. Mr. President, I should really like to conclude. I have been trying to conclude, but I gladly yield.

Mr. TAFT. With reference to what the Senator from Texas has said, is it not true that in his message the President has reflected on the motives of all Senators who are opposing the Federal ballot and supporting the State ballot?

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. LUCAS. Let me ask the Senator from Ohio if he did not go to Ohio and make a speech charging those responsible for the Lucas-Green bill with fraud?

Mr. TAFT. Yes; I made a speech—

Mr. LUCAS. And the Senator dare talk about the President of the United States charging us with fraud.

Mr. TAFT. Mr. President—

Mr. LUCAS. Mr. President, the Senator yielded to me.

Mr. McCLELLAN. I yielded to the Senator from Illinois.

Mr. LUCAS. You charged your colleagues in the Senate with fraud.

Mr. HOLMAN. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLMAN. I invoke that rule of the Senate which requires Senators to address the Chair and not other Senators.

Mr. LUCAS. Mr. President, I have the floor. The Senator from Arkansas yielded to me.

Mr. President, the Senator from Ohio complains bitterly about the President of the United States using the word "fraud" in connection with that message. I stated publicly on the floor of the Senate yesterday that I did not agree with the President of the United States in the use of the word "fraud." I thought it was wrong to use it. But the Senator from Ohio went to Ohio, because of what is happening there in connection with the soldier vote bill, to make a couple of speeches. In those speeches he charged every Senator who voted for the Green-Lucas bill with fraud. It is not an outsider who is making the charge.

Mr. McCLELLAN. Mr. President—

Mr. LUCAS. Please let me finish.

Mr. TAFT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Arkansas has the floor.

Mr. McCLELLAN. Mr. President, I regret that this discussion has taken the course it has taken.

Mr. TAFT. So far as I am concerned—

Mr. McCLELLAN. The Senator from Arkansas declines to yield further until he has concluded.

Mr. TAFT. Mr. President, I rise to a question of personal privilege.

The PRESIDING OFFICER. The Senator may not do so without the consent of the Senator from Arkansas.

Mr. McCLELLAN. Let me say to the Senator from Ohio that I am trying to conclude my remarks. I have another engagement and I am trying to get away. I have yielded to Senators. When I have finished my remarks I shall yield the floor.

Mr. TAFT. The Senator from Illinois has made certain charges against me, to which I should like to reply. It seems to me that it is only proper that I should be given the opportunity to do so, since he made those charges in the Senator's time.

Mr. McCLELLAN. In view of the situation, I yield to the Senator.

Mr. TAFT. So far as I know, in any speech in Ohio, I said nothing about any Senator. So far as I can remember, I said nothing about Senators. I said that the Federal ballot which was proposed in the Green-Lucas bill was a fraud on the soldiers of the United States.

Mr. LUCAS and Mr. BARKLEY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Arkansas yield; and if so, to whom?

Mr. McCLELLAN. I yield to the Senator from Illinois.

Mr. LUCAS. Who is responsible for the Federal ballot which is in the Green-Lucas bill, and who voted for the Federal ballot? If that is not a direct implication of fraud upon Senators who sponsored the bill and those who voted for it, then I do not understand the English language.

What I am complaining about is that the Senator should go into his own State and charge, for political reasons only, in

my opinion, that Senators who supported the Green-Lucas bill are guilty, indirectly at least, of fraud in connection with the support of the bill. I do not like it, and I do not care who knows it. So long as I remain a Member of the United States Senate I am not going to "take it" without protesting. I protested against the President's use of the word "fraud," but that is not satisfactory to the Senator from Ohio. He uses the same language which he criticizes the President of the United States for using. He is now a candidate for the Presidency, so he charges Senators with fraud because they are honestly attempting to give the service men and women of the United States, inside and outside the continental limits of the United States, a real opportunity to vote.

One further word, and I shall conclude. I have stated from the beginning that if the States could handle the balloting, I should prefer to have them do so. I should like to have the soldiers vote for all candidates in my county and my State; but if we are to believe the Army and Navy, it cannot be done. In my opinion the next best thing is the Federal ballot.

I thank the Senator from Arkansas for giving me the opportunity to speak on his time.

Mr. McCLELLAN. Mr. President, I agree with the very able Senator from Illinois in his remarks in which he disagrees with both the President of the United States and the Senator from Ohio. I said so earlier in my remarks, when the Senator from Illinois was not present in the Chamber. I paid tribute to him for his remarks yesterday, which I heard, in which he said he did not agree with the President in the use of the word "fraud." I hold the senior Senator from Illinois in high esteem. I served with him in the House of Representatives; and it was indeed gratifying to me when he took the position he did regarding the use of the word "fraud."

Mr. President, I am anxious to conclude my remarks. I have occupied far more time than I intended, but I have shared it with Senators who desired to interrupt and make observations.

I had intended to read several editorials. I shall not take the time to do so. I have not spoken today for the purpose of trying to obstruct or delay a vote, or trying to join in any movement which would prevent the Senate from voting on the pending amendment or on the bill itself. I felt that it was right and proper to make some statement in connection with the bill, after we who had supported the measure which passed the Senate had been placed in an unfavorable light before the country by the charges which had been made.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, an editorial from the Washington Star of January 28 entitled "The Service Vote Message."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE SERVICE VOTE MESSAGE

If the President's message on the service vote had been couched in temperate language, if the facts it contained had been recited dispassionately, it could have been hailed as the most forceful and convincing argument yet made in favor of the revised Green-Lucas bill. Unfortunately, however, for reasons difficult to fathom or justify, Mr. Roosevelt's words were at times petulant and sarcastic, going so far as one point as to describe an alternative measure—already approved by the Senate and now awaiting action in the House—as an out-and-out "fraud."

The measure in question, a resolution leaving it up to the States to handle the whole problem of the service vote, was adopted early last month by a Senate vote of 42 to 37, in which the majority was made up of 24 Democrats and 18 Republicans. Immediately on its passage, it was criticized in many quarters as a largely ineffective piece of legislation, and this view—as the straight facts in the President's message made clear—is wholly justified, the simple truth being that if the House approves the same leave-it-to-the-States procedure, the overwhelming majority of the millions in our armed forces will have no chance to take part in the elections next November.

But to say this is one thing, and to cry "fraud," is quite another. The fundamental fact is that the Senate adopted this resolution on the claim that the original Green-Lucas bill was full of several grave defects. The first of these defects would have arrogated to a Federal commission a right which the Constitution reserves to the States—the right to establish the manner and qualifications of voting and to determine the validity of such voting. On this ground alone, the Senate was wise and farseeing in rejecting the proposal. Another key defect was that the Federal commission, as set forth in the bill, was left open to political manipulation because no careful provision was made to insure the impartiality of its membership. For these two reasons, if for no others, the measure, if it had been allowed to become law, might easily have led to a serious constitutional snarl in the event of a close election.

Actually, far from being a "fraud," the Senate resolution, despite its virtual ineffectiveness, can be defended as being more in conformity with the basic law of the land than the bill it replaced. Further than that it may be credited with having forced Senators Green and Lucas to work out their revised proposal, with the result that Congress now has an excellent compromise measure upon which it ought to be able to agree. In any event the President's message was right in declaring that the new bill, with its provision for a uniform Federal ballot, its careful limitation of the Federal commission's power, and its specific guarantee of the election prerogatives of the States, not only would facilitate large-scale voting in the armed forces but would resolve every important constitutional doubt as well.

Mr. McCLELLAN. I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks three editorials published in the Arkansas Gazette of January 28, entitled, respectively, "Speaking of 'Fraud'"; "When It's the Primary That Really Counts"; and "If Congress Members Stood Up To Be Counted."

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

SPEAKING OF "FRAUD"

Mr. Roosevelt considers the State plan for soldier voting (as against the Federal ballot

plan) a "fraud" on the soldiers, sailors, and Marines who are now absent from their homes.

If that ugly word is to be used what shall we call a soldier vote bill that would enable servicemen to vote only in the general election and not in the primaries in States where all officials are really named in the primaries?

WHEN IT'S THE PRIMARY THAT REALLY COUNTS

In the demand he made on Congress for a "Federal ballot" Mr. Roosevelt said the American people are very much concerned lest the majority of the 11,000,000 members of the armed forces be deprived of their right to vote in the important national election next November.

But a matter of greater concern to many of these service absentees is the right to vote in their important State primaries. In all but four of the States primaries are an essential part of the machinery by which the people choose Senator, Congressman, Governor, and other State officials and State legislators and local officials.

The right to vote in the State primary is the only one that would really mean anything to a soldier or sailor or other member of the armed services from Arkansas or any other State where the outcome of the primary makes the result of the general election certain. A vote in the November election would be the emptiest of privileges for a voter to whom no opportunity had been given to cast a vote in the decisive primary.

IF CONGRESS MEMBERS STOOD UP TO BE COUNTED

It is easy to understand the resentment that was shown in the Senate and the House at Mr. Roosevelt's soldier vote message when he said, for one thing, that action should not be taken without a roll-call vote and that every Member of the two Houses of Congress should be willing in justice "to stand up and be counted."

The Gazette is not saying that there should be no roll call on this legislation. But if there is a roll call Senators and Representatives who were conscientiously convinced that Congress should not attempt to override election statutes and constitutional provisions of the States, and in that conviction had voted against the "Federal ballot," could be pilloried by Mr. Roosevelt before the people. The whole tone of his message suggests that Mr. Roosevelt might say to the country: "See that fellow" [maybe running for reelection]. "He voted to 'deprive the servicemen of the right to vote.'"

Mr. McCLELLAN. Mr. President, there is a tendency, in some quarters at least, when a Senator or a Member of the House takes a position on a measure on the basis of its constitutionality or lack of constitutionality, to cast aspersions and make disparaging remarks. It seems to have become unpopular among certain groups in this country for a Senator any longer to have any conviction with respect to the fundamental law of the land. We are criticized because we do not yield to expediency. Mr. President, whenever expediency supersedes constitutional procedure, we shall be on the way to losing the liberty which has been guaranteed and secured to us by that immortal document.

A few days ago, since this bill has been under debate, in the course of reading a chapter in the Bible, I found the following in the fourth chapter of Jeremiah:

And when thou art spoiled, what wilt thou do? Though thou clothest thyself with crimson, though thou deckest thee with ornaments of gold, though thou rendest thy face

with painting, in vain shalt thou make thyself fair; thy lovers will despise thee, they will seek thy life.

O Mr. President, I do not believe the soldiers who are giving their lives for our country today want the Congress of the United States to make itself fair in the terms of expediency in trying to obtain for them the right to vote. If we tear down constitutional government while they are making the supreme sacrifice, I believe they will come home and condemn us. They will want to return to their country where the Constitution has been preserved, where they can take up life again in the American fashion and under a constitutional government.

Mr. President, in the light of my intelligence and my convictions, I shall cast my vote not only upon the pending measure but on others as they arise, to the end that constitutional government may be preserved.

We hear a great deal about rumblings of unrest throughout the country. What is that unrest, Mr. President? Trace it where you may. Whatever unrest there is in America today—be it political unrest, or unrest with respect to the trend of Government—when we trace it down we find that it relates to one thing only, namely, that the people have become apprehensive and alarmed that they are losing constitutional government in America, and that their Government is gradually being transformed into one of decrees and mandates in the form of executive orders and directives.

I assert, Mr. President, that the soldier who fights on the battlefield must depend and rely upon you and me to hold the line here for constitutional government.

Mr. BROOKS obtained the floor.

Mr. ROBERTSON. Mr. President, will the Senator from Illinois yield to me in order that I may suggest the absence of a quorum?

Mr. BROOKS. I yield.

Mr. ROBERTSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Alken	Gerry	O'Mahoney
Andrews	Gillette	Overton
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Bridges	Jackson	Stewart
Brooks	Johnson, Colo.	Taft
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Langer	Thomas, Utah
Butler	Lodge	Tobey
Byrd	Lucas	Truman
Caraway	McCarran	Tunnell
Chandler	McClellan	Tydings
Chavez	McFarland	Vandenberg
Clark, Idaho	McKellar	Wagner
Clark, Mo.	Maloney	Wallgren
Connally	Maybank	Walsh, Mass.
Danaher	Mead	Walsh, N. J.
Davis	Millikin	Wheeler
Downey	Moore	Wherry
Eastland	Murdock	White
Ellender	Murray	Willis
Ferguson	Nye	Wilson
George	O'Daniel	

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). Eighty-nine Senators having answered to their names, a quorum is present.

Mr. BROOKS. Mr. President, I desire to discuss the pending measure from several angles because of the importance which I believe it has, not only in the affairs of our country at the present moment, but in the possible implications which may follow whatever action we take.

All over the world for at least the past 20 years the peoples of the various countries have been pulled, driven, or pushed away from representative government. This has been accomplished in the main by individuals obtaining great power, raising great armies, destroying the fundamental liberties of the country in which they reside, and imposing their will upon others. The movement has gone so far that today we find ourselves involved in the greatest and most extensive global war the world has ever known. I believe that in this driving force which has moved throughout the world toward centralization of totalitarian control we in America have been spared to a larger degree than have any other people in the world, by virtue of our belief in and adherence to the fundamental law of this Nation, commonly known as the Constitution of the United States.

That Constitution is a living, virile and vibrant document. It does not merely possess a place in the musty books of yesterday; it lives in the very fiber of our American people. It was the result of centuries of longing and suffering, of prayers and hopes of people who wanted some day to have a Government about which the people would have something to say. The possibility for its creation and adoption came as the result of the willingness to die in order that men might be free.

When our forebears had won the Revolutionary War they were confronted with a question that lives in this Chamber today, a vital question, namely, "Now that you are free, what kind of a Government do you wish to live under." They had to make that choice, and so long as we remain free we will have to continue to make that choice; we must make it day by day and constantly; and only free-men can ever have that choice. Millions of young American men and women are being dispatched thousands of miles from their homes and loved ones today to fight to preserve the right of this Nation to continue as a free Nation.

Mr. President, you can say all you want about the four freedoms for the world, you can make all the proclamations you wish about what we want for other peoples, but the American people went to war when this Nation was attacked, and the sons and daughters of America are now fighting primarily to make this country secure today and in the future, that it may follow the dictates of its conscience as a Nation of freemen under the living document and order of government called the Constitution of the United States of America.

When our forebears realized that they must make that decision and were

charged with the responsibility of drafting rules and regulations for a new government, it was not an easy task. The record shows that for more than 4 months they deliberated and debated until finally a compromise was brought forth and a set of rules adopted, which had as their major concept the division of power, the distribution of authority, that would guarantee for all time that there never would be a king, a dictator, a royal family, or a reigning house in America, but that the United States should continue to be a government of the people under which all men are born equal.

Although the framers of the Constitution had done a magnificent work of dividing the authority into the legislative, judiciary, and the executive branches, and had defined their powers rather fully, the people were not ready to accept it. They had just come out of war; they were still feeling the effects of their physical and mental anguish, and they said, "What about our human rights? What about the guarantees that these powers will not be usurped? What about our right of trial by jury, the right to be confronted with the charge and to have counsel, and the right to prevent the Government from imposing their army in our houses or searching our properties." They went further, as I shall point out in a moment, and refused to accept this living document until its framers guaranteed that if they would accept it, then the human rights amendments known as the Bill of Rights would be adopted. But in the original document the fathers of this Nation, to whom we all owe profound respect and to whose creation we owe allegiance under our oath, provided that:

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.

They provided further:

The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof, for 6 years; and each Senator shall have one vote.

They designated whom we represented. We represent the States in this body. We are not chosen according to the size of the State nor its population; we are sent here to represent the sovereign States from which we come.

They then provided further:

The Executive power shall be vested in the President of the United States of America. He shall hold his office during the term of 4 years and together with the Vice President, chosen for the same term, be elected as follows:

And this is pertinent, I claim, to the procedure we are undertaking now—

Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress, but—

And here is where they ruled us out—but no Senator, Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

They wanted to remove us as Senators so far from having the authority of selecting the Chief Executive and divide the power so deeply that they said that we should be disqualified even to serve as electors, even if the people in our States would grant us that power.

We have no right to interfere with the choosing of these electors, whether we do it by a ballot method or otherwise; it is expressly provided that we are disqualified from that service.

Then, as the people wanted to guarantee their rights and assure themselves that in the hysteria of war or the depths of depression or the excitement of prosperity the Congress would not run wild and usurp power, they provided in the Bill of Rights:

The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively, or to the people.

I do not claim to be a constitutional lawyer, but certainly those words make plain to me that the founders of this document, under which we have become the greatest government of free men on God's earth and the hope of humanity today, if you please, provided the method by which the President should be selected, and they said, "Senators and Representatives shall keep their hands off. The legislatures in the States shall determine who shall be electors, and the legislatures cannot choose a Representative or a Senator to serve as an elector." And as a final guarantee, they wrote into the Bill of Rights—"all powers not given to the Federal Government are reserved to the States."

It is my humble judgment that under those rules we would violate the Constitution of the United States if we assumed to establish a Federal ballot to be sent anywhere which would change the rules under which our great army, not only of soldiers, sailors, marines, and others abroad, but the great army of loyal Americans at home who today are giving their all in talent, in wisdom, in culture, in creative genius, to save humanity, and in an effort to enable us to move on with a better opportunity to protect the liberties of the common man.

But Senators say they want the soldier to vote. What soldiers do they want to vote? All soldiers? Oh, no; they do not. That is not what they are providing in this Federal ballot. There are at least 2,000,000 young men in this Army not yet 21 years of age. They would not get a vote. Why should we not give them a vote?

General Marshall said he had to have them, the Navy said they had to have them, the Secretary of War said we must draft them. Those boys have had less opportunity to enjoy life under our form of government than any other group of citizens engaged in the war. But we are not asked to give them a vote. Why do Senators say they want to give all soldiers a vote if they do not give these boys the privilege?

Will they say to me, "We cannot do so, under the Constitution?" Neither can we give the others the right to vote, under the Constitution. If we are to vio-

late the Constitution, let us go the whole way, and let us give all the boys a chance to vote. Let us not deny the youngest men in our Army.

I heard it suggested the other day that we tell the boys who fought at Tarawa, the marines, with arms or legs off, that the Constitution denies them a vote. Yes, I say, tell it to them, because most of them were under 21. The marines fighting and dying at Tarawa were mere kids. I know who they were, and I know what they are like. I say that if we are to give the soldiers a vote, let us treat them all alike. If we are to violate the Constitution, let us do a good job. But let us not tell the fathers and mothers of America that the Congress is trying to give the soldiers a vote when we deny it to at least 2,000,000 of the cream of this Nation's young manhood. Let us be honest and say we are not going to give it to the youngest boys there. There are thousands who are 17 years of age, who volunteered. We did not have to go and get them; we did not have to select them. They walked up and raised their hands and said, "We will serve our country." They are serving in the Navy, in the Army, and in the Marine Corps.

Let us quit this sham, talking about giving all the soldiers the right to vote, unless we are to be honest. If we are not to talk about fraud, let us talk about honesty. Let us tell the truth. There are 2,000,000 soldiers under 21. Is there any more reason why they should be denied the privilege of voting than applies to the boys between 21 and 24?

How about the boys from the District of Columbia? No provision has been made for them. They are just as patriotic as any others. We have not been asked to violate the Constitution for them. If we are to stand by the Constitution, in the name of God, let us stand by it. If we are to change the rules and give all the soldiers a chance to vote, in the name of God, let us do that. But let us do one or the other. Let us either uphold what these boys are fighting for, or say, "In order to do something for you, we are going to change the rules for all of you."

Mr. President, that is how liberties are lost in this world. Our forefathers realized there would come a day when hysteria would grip the people, whether it was in war or in peace, in time of prosperity or depression, and they said, "This Constitution must hold." Those were the words of a learned man, Associate Justice David Davis, in his celebrated opinion in the historic *Milligan* case after the close of the Civil War. He said:

The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy and despotism.

I go back to the words of Benjamin Franklin, sir, when he was about to leave the hall of the Constitutional Conven-

tion, where he had been a great factor, with his wisdom and experience acquired over an active life of 80 years, asking men to compromise. Finally, speaking of the Constitution, he said:

I believe this to be a good form of government, and it will be administered well for a period of years, but it, too, will end in despotism, as every other government has ended before it, when the people become so corrupted they are incapable of any other form of government.

I do not believe that time has arrived, Mr. President. I think I know what the men in the front lines would say to us today if they knew what we were about to do. They would say, "Either give us all the vote, or else let us abide by the rules under which we were born, and under which we have lived, and under which we are willing to die."

Let us preserve the foundation stones of this great, free country, not only to win the war but to play our major part in the struggles which are to come in the aftermath, which will be more perplexing than anything that has happened thus far in the history of man.

Why should we choose only a few? That is what is proposed. We are asked to take only those of age and give them a political ballot. How about the 2,000,000 men who have become of age since they have joined the service? They have never seen a ballot; they have never gone into a polling place. How will they vote the first time? They will vote when the bugle blows; they will vote when the commanding officer announces the ballot is there. They will line up, and they will be given a ballot unlike any ever seen by an American before. No American ever saw a ballot like this bob-tailed, short Federal ballot.

Why all this feverish fervor for a Federal ballot today? Why can we not cling to the fundamentals for which men are willing to die? I think I know what men are willing to die for. I have proven my knowledge of it, and I am not afraid to face any soldier in the world and say to him, "I know you do not know much about the Constitution, pal. I did not either, when I was 20 years of age, in the front line. I did not know about a ballot. I was not asking for a ballot, and you are not asking for it either. But you know about America, you know about your home, you know about your hopes for the future. You know that, as compared with the other governments of the world, yours was the best and you were ready to march forward to fight to preserve your Government, and you expected the men at home to preserve it for you."

These men are serving humbly, as enlisted men, far removed from high places where generals and statesmen order events, but they know what they are fighting for. It is the kids who are doing the best job, who will not even have a chance to vote under the Federal ballot plan. I know what they will want when they come home. They will want America as they left it, and they will want an equal chance with others.

I received a letter from a marine who had been on Guadalcanal. He said, "Senator, see that they do not give away

America while we are gone and make us pay for it when we come home."

They expect us, the Senators from their States, to preserve the rules, and in my judgment they would tell us so if they knew that in our hearts we were doing the best we knew how to preserve the fundamentals.

I do not believe that a man 24 years of age who would receive a Federal ballot would want it when he saw a kid of 19 go out ahead of him to take a machine gun nest, and realized that that boy was denied a ballot. I think it is a sham, if not a fraud, to give the American people the idea that this is a plan to give all the soldiers the ballot. That is not what is being attempted; the idea is to select a few. I am not trying to do that, Mr. President. The attempt is to change the voting rules of America, and give to 2,000,000 soldiers, who never have had it in their lifetime, half suffrage, blank suffrage, partial suffrage, giving it to one who stands right beside his comrade who is denied any opportunity at all to vote.

If those soldiers want to change the laws of their State when they come back, believe me, they will change them. I had a burning desire, when I came out of the front line, to come to the Senate some day; and I came here through that burning desire. So will these boys return and take their places, if we hold the line here, if we hold things steady, and not violate the rules, or change the fundamental structure. We will have a great country for them, they will have great opportunity, and we will go on to greater glory. But if we throw the election into a contest which will plunge us into confusion and chaos, God knows that the words of Benjamin Franklin may come true, that our Government will end in despotism, or, as Justice David Davis said, "It will lead directly to anarchy and despotism."

Which is the safe road for us to follow, which is the right road, which is the true road? We can look to the States—and it will not be a fraud. My State and many other States are anxious and ready to pass laws to get ballots to their soldiers. We can say to the Federal Government, "Last month we produced 8,000 new planes. Last month we produced 208 new Liberty ships. We have ample facilities with which to carry these State ballots anywhere and return them if the States provide sufficient time, and the Federal authorities will truly cooperate. If the soldiers want the vote, let them ask for the ballots. Put out the application cards to the soldiers to request their ballots. We have 11,000,000 cards printed now. They are in the hands of the armed services now. They can give them to the soldiers and sailors everywhere. Let the soldiers send for their ballots."

Oh, it may be said that some will fail to obtain the ballots. Is it worse for a man 24 years of age to fail to get his ballot than to deny it to one 18, or 19, or 20 years of age? Of course we are going to make great sacrifices during the war, and the men in the armed services are making greater sacrifices than that.

Mr. President, how will the ballots be distributed? The men will be lined up. They will be asked, "Are you 21? If so,

get in line." Then they will be given the ballots.

I make no charges against any officer, but I know human nature. One of the finest men I ever knew was a brigadier general in the last war, and years after the end of that war, in talking about it, he said to me, "I am ashamed of myself. When the armistice was signed I was sad, I was bitter; I wanted the war to continue. I was on the verge of promotion to major general if the war had lasted a little longer. I did not stop to consider how many men would lose their lives if the war had continued long enough for me to obtain the promotion."

Senators who serve on the Military Affairs Committee know what promotion means. They know where promotion comes from. They know how anxious officers are to obtain promotion. And if the President of the United States, in his dual capacity, speaking to us not only as the President, but also as Commander in Chief, has the effrontery to charge us with fraud, what do Senators think will be his position with respect to the officers under his direct command when he sends these Federal ballots to be distributed, and how close a check do Senators think will be kept to see how many ballots are returned from the regiments scattered around the world?

Mr. President, I say, let us cling to the fundamental system with which no man has been able to tamper, which no man has been able to destroy, under which we could come up to the verge of this trying hour in the history of the world and make the magnificent contribution we are now making—and God grant us the privilege of helping to make it in the future. Let us cling to the fundamentals; not to a musty old Constitution, but to a living, virile, vibrant Constitution which, in my judgment, is not only the hope of America, but is the hope of the liberty-loving people of the world.

The PRESIDING OFFICER. The pending question is on the amendment offered by the senior Senator from Louisiana [Mr. OVERTON] to the amendment of the committee on page 39, line 9, after the word "made", to insert "in accordance with State law."

Mr. TAFT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Connally	Langer
Andrews	Danaher	Lodge
Austin	Davis	Lucas
Bailey	Downey	McCarran
Ball	Eastland	McClellan
Bankhead	Ellender	McFarland
Barkley	Ferguson	McKellar
Bilbo	George	Maloney
Bone	Gerry	Maybank
Brewster	Gillette	Mead
Bridges	Green	Millikin
Brooks	Guffey	Moore
Buck	Gurney	Murdoch
Burton	Hatch	Murray
Bushfield	Hawkes	Nye
Butler	Hayden	O'Daniel
Byrd	Hill	O'Mahoney
Caraway	Holman	Overton
Chandler	Jackson	Radcliffe
Chavez	Johnson, Colo.	Reed
Clark, Idaho	Kilgore	Revercomb
Clark, Mo.	La Follette	Reynolds

Robertson	Thomas, Utah	Walsh, Mass.
Russell	Tobey	Walsh, N. J.
Shipstead	Truman	Wheeler
Smith	Tunnell	Wherry
Stewart	Tydings	White
Taft	Vandenberg	Willis
Thomas, Idaho	Wagner	Wilson
Thomas, Okla.	Wallgren	

The PRESIDING OFFICER. Eighty-nine Senators have answered to their names. A quorum is present.

CIVILIAN PILOT TRAINING

Mr. BUTLER. Mr. President, I desire to have printed in the RECORD a letter I received this morning which pertains to a phase of our defense program which I should like to have called to the attention of each Member of the Senate. I know of no better way to do so than to have the letter printed in the RECORD. It has not been my custom since I have been a Member of the Senate to have my office correspondence printed in the RECORD, but in this case I think it is entirely proper to do so.

The letter to which I refer has to do with the resolution which was adopted by the fifth region meeting of the National Association of Colleges and Universities in Civilian Pilot Training at Kansas City, Mo., on January 22 last. The resolution reads as follows:

Be it resolved, That the present program being conducted by the United States Government be continued for the duration of the war, and that the program be continued after the cessation of hostilities as an air reserve training corps, and that the Civil Pilot Training Act of 1939, as amended, be further amended to extend the life thereof.

The letter written in connection with the submission of the resolution is signed by an acquaintance of mine who is the president of Washburn Municipal University, at Topeka, Kans. I should like very much to have his letter printed in the RECORD immediately following my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHBURN MUNICIPAL UNIVERSITY,
Topeka, Kans., January 26, 1944.
Senator HUGH A. BUTLER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR BUTLER: Within the past week you have received information from the Honorable Frank Knox, Secretary of the Navy, that the Navy plans to terminate its use of the civilian facilities under contract with the Civil Aeronautics Administration War Training Service. While the colleges and universities engaged in this program will be able to make no profit under the present form of renegotiated contracts, I feel that the closing of this work in the colleges will be a very serious mistake from the point of view of our national economy.

The Navy recognizes the value of the service which the colleges have rendered in this connection since the program was first organized in 1939. The following statement is quoted from a letter received from Mr. John P. Morris, Director of C. A. A. War Training Service:

"Looking ahead some months, the Navy Department has come to the conclusion that by the middle of this year it will have enough training capacity of its own to handle all of the primary flight training required by its pilots.

"The Navy Department has accordingly informed this office that it has come to the

conclusion that 'it will be advisable to terminate its use of the civilian facilities under contract with the C. A. A. War Training Service.' The Navy Department states further that 'discontinuance of this program is in no way indicative of dissatisfaction with the training performed. The Navy recognizes and is grateful for the splendid work which the C. A. A. War Training Service organization has accomplished in training Navy pilots at a time when the need for such pilots was most urgent and when the Navy could not handle all the training required. The decision to discontinue this training is due simply to the fact that the Navy will be able to handle the entire primary load at its own stations.' The letter from the Navy states further that the Department 'appreciates deeply the wholehearted cooperation which your organization, and the colleges, schools, and flight operators it represents, has shown in helping naval aviation through one of the most critical periods in its entire existence.'

"I must therefore advise you that according to the present plans of the Navy Department, as communicated to this administration, the training activities in which you are engaged under contract with the Civil Aeronautics Administration will terminate not later than the date of completion of the training session scheduled to commence in May of this year."

In view of the above statement, you will realize that this training at Washburn University and 90 other colleges will be discontinued by June or July of this year. I believe that this decision on the part of the Navy is a mistake. It is clearly recognized that the colleges began this work and provided a very necessary pool of pilots for the use of the armed forces at a time when this service was most urgently needed. Furthermore, since that time, the Navy has admitted that the colleges have rendered a very satisfactory service. Both the colleges and municipal airports have been thoroughly equipped to handle this program. In case it is discontinued, the municipal airports especially will be left high and dry at a time when commercial aviation needs to be fostered in this country. Again, this program has been carried on at a minimum of cost to the Federal Government. The Navy Department states that it will have facilities of its own to carry on this training by July of this year. I believe it will be a very serious mistake to build up and maintain huge air bases in this country, which, without question, will be discontinued by an economy-minded public after the war. If this happens, and I am confident that it will, the Nation will have no place to look for a reserve group of pilots which it should have in regular training.

The honorable Secretary of the Navy has just stated that he believes universal military training should be adopted after this war. It will be much more necessary to have an adequate reserve of trained pilots to operate our fighter planes in case of any future necessity. Any farsighted citizen, I am sure, will be very deeply interested in a civilian policy which will provide a constant reserve of pilots. This cannot be done in any series of air West Points after the war except at tremendous cost. The training of a civilian army, including the air branch, is the pride of this Nation. I do not believe that we should at the present time lose sight of this fact. It will be much more satisfactory to continue the training in the colleges and at local municipal airports at a very slight expense than to continue these elaborate air bases which have been established. If a cut needs to be made at this time, I am convinced that that cut should be in these large establishments and not in the colleges and city airports.

It should further be borne in mind that many of the cities cannot operate their airports very effectively without this type of

program. It would certainly be a shortsighted policy to penalize all of these cities in America which have voluntarily set up their programs at the expense of a few air bases, which in any case will ultimately have to be discontinued because of their high cost of operation. A reserve of pilots who could assist in the regular commercial development of aviation in this country will be much more valuable to the Nation than a small number of military personnel, trained in a few West Points of the air. As a forward-looking citizen, I believe you will agree that the proposal which I am emphasizing is one which should be given very serious consideration by the Congress of the United States. To drop the civilian-aviation program at this time, just when it should begin to take on larger responsibilities, will be, I am sure, decidedly against our future welfare.

The continuance of the program in the colleges not only assists in the successful prosecution of the war, but also has the additional advantage of providing the facilities for effective training at the close of the war itself. As a representative of the people who desires to get the greatest value from funds expended, I am sure you will recognize the value of the proposal which I am hereby suggesting.

Furthermore, the enclosed resolution indicates that there is widespread feeling that these college and university programs should not be discontinued at the present time. I hope you will do all in your power to study this question and support legislation looking toward the continuance of this civilian program. I am sure you will find it to be highly satisfactory and much less expensive than any other way of meeting this need. This is not a plea for financial assistance as far as the colleges are concerned, inasmuch as they are not permitted to make any profit from this program. It is, however, based upon a very strong conviction that the colleges and the municipal airports can do this job both for war and for peace better than any other single agency. I realize, of course, that during the war it will be necessary to continue in addition a reasonable number of the larger naval-air installations.

Assuring you of my continued interest and support of all programs for the national welfare, I am,

Very sincerely yours,

BRYANT S. STOFFER,
President.

CONTINUATION OF THE GILLETTE COMMITTEE

Mr. WILLIS. Mr. President, as a respite from the tenseness of the debate on the soldiers' voting bill, I desire to address the Senate on a matter which is also pending before the Senate, and which has been in my thoughts for some days. It relates to the resolution now pending for the extension of the work of the Gillette committee. The resolution contains a request for a suitable appropriation.

In connection with the appropriation for extending the work of the subcommittee of the Committee on Agriculture and Forestry investigating the use of farm crops for the production of alcohol and the making therefrom of synthetic rubber, I wish to express the debt which our country owes to the Senator from Iowa [Mr. GILLETTE] for the great contribution which the work of his committee has made to the war effort.

This subcommittee was formed in March 1942 with the Senator from Iowa [Mr. GILLETTE] as chairman, and the late Senator George W. Norris of

Nebraska, the Senator from Montana [Mr. WHEELER], the Senator from Oklahoma [Mr. THOMAS] and the Senator from Oregon [Mr. McNARY], comprising its other members. The Senator from Indiana subsequently succeeded the late Senator Norris, and the Senator from Vermont [Mr. AIKEN] succeeded the Senator from Oregon [Mr. McNARY]. The committee was very ably assisted in its work by Mr. Paul Hadlick, as counsel.

On fateful December 7, there was in this country a stock pile of 600,000 tons of natural rubber—about one-third more than our normal annual requirement. This stock pile had to be conserved to tide us over until a whole new synthetic rubber industry could be built. Our country was faced with a breakdown of its whole war effort if we failed to produce synthetic rubber quickly. Unfortunately, those in charge of the Government program early in 1942 had the advice only of the petroleum chemists; hence, when the first fund of \$650,000,000 was allocated to set up a new synthetic rubber industry, almost all was given to the petroleum companies to develop their processes. Only 20,000 tons of a total of 600,000 tons were allotted to production of rubber from the alcohol process, and that was set aside for a plant to use alcohol made synthetically from petroleum.

Thus, at the outbreak of the war, our Government was devoting its effort to the production of synthetic rubber from petroleum, while in other countries, such as Germany, Poland, and Russia, synthetic rubber was being made from alcohol produced from grain and potatoes. It was unfortunate that the primary impetus was given so largely to the petroleum method of producing synthetic rubber, at the cost of investigation of the product from alcohol, in view of the favorable record that alcohol from farm products has achieved.

Hearings were called and an intensive study made into the matter of producing rubber from alcohol. It was developed early in the hearings that the one known commercial process for the production of synthetic rubber was that from alcohol. It was also determined that the alcohol process was quicker and that the plants used less critical materials. Subsequent events have proven the correctness of these early findings.

Such a showing was made that the Government's program was partially revised. After the first disclosures of the committee, the 20,000-ton alcohol rubber quota was doubled to 40,000, then doubled again to 80,000, and finally increased to 240,000 tons annually.

The first synthetic-rubber plant in practical operation was opened in West Virginia in the spring of 1943. It produced rubber from alcohol made from grain. Results in this line have been very gratifying. The production of synthetic rubber from the alcohol plants is running 40 to 50 percent over their rated capacity.

I cast no reflections upon those favoring the production of rubber from petroleum; but I do wish to point out that after 2 years their program is not yet in full production. In fact, announcement was made recently that they expected the supply of synthetic rubber for 1944 to be delayed until the latter part of the year, owing to the unexpected obstacles encountered in making butadiene from petroleum. As of today, and perhaps for most of 1944, about three-fourths of our synthetic rubber is coming and will come from alcohol obtained from farm products.

Announcement has been made that—

The output of synthetic rubber is a bit behind schedule; is affected by some difficulties in the process of making rubber from oil. The alcohol method is proving more effective to date. Most now to expect is 20,000,000 new passenger-car tires in 1944, enough to keep most present cars on the road if the present driving restrictions are kept.

There is no doubt that the gratifying result in production of synthetic rubber from alcohol was very greatly stimulated by the work of the Gillette committee. This is one of the outstanding accomplishments of our whole war effort.

A new subject to which the committee has already given some attention is the utilization of alcohol as a motor fuel. Among the many subjects presenting themselves is the possibility of salvaging certain waste feeds which are now by-products of the distilling industry, and the wastes that are produced in lumbering. The work of the committee has merely opened the door to an entirely new field of valuable research for our Government. The whole post-war economy of our country will not only depend to a large extent on our ability to produce rubber in our own country but also to find new uses for the products and wastes of our farms and forests. This field should be explored by the committee.

The entire field of chemurgy, which has been of growing interest in recent years, can find practical assistance through the committee.

Probably no committee has produced such far-reaching results upon the outcome of our present war and upon the future of our country or the welfare of its citizens from an appropriation as small as the sum with which this committee has been able to carry on its work. I have no hesitation in ranking the work of the Gillette subcommittee next to that of the Truman committee in practical accomplishments in the production of materials which have hastened the victory for which we have longed so much.

Mr. AIKEN. Mr. President, I wish to add my word of endorsement to all that the Senator from Indiana has said regarding the work of the Senator from Iowa [Mr. GILLETTE] and the subcommittee which has made a study of the synthetic rubber problem in the United States. At the very beginning of the war it was the Senator from Iowa who recognized the fact that the production and acquisition of rubber would be among the most serious problems we would have to face in the conduct of the

war. He knew that the only proven process for making synthetic rubber satisfactorily was the alcohol process. He also knew that the great bulk of the money had been allocated to petroleum processes, which have not proved wholly satisfactory, even to this day.

The Senator from Iowa tried to impress upon high officials in the executive department the importance of this problem. So far as I know, he has never had any recognition from the executive department for his work, but I believe that as a result of his protests and arguments the so-called Baruch committee was appointed and went to work on the problem. I do not think the solution is wholly satisfactory as yet. The struggle is still going on with the petroleum interests seeking to control the manufacture of synthetic rubber. It may be that they fear that alcohol will become of greater importance as a motor fuel if produced cheaply enough. Thanks to the work of the Senator from Iowa and his subcommittee, of which I am the newest member, the alcohol process has been encouraged and developed in the United States. As I understand, we are now producing alcohol for as little as from 12 to 15 cents a gallon, although the Government is still paying from 60 to 90 cents or a dollar a gallon for most of what it uses. Through the recovery of alcohol from sulfite wastes I believe the cost of manufacturing from this source is only from 12 to 20 cents a gallon at present. There are indications that in the future alcohol may be produced as a byproduct of the forest products industry, at a cost possibly as low as 5 cents a gallon. I think that that knowledge perhaps explains the apprehension on the part of the petroleum interests. The field is broad enough to utilize the products of both the petroleum and alcohol industries and we should give encouragement to new developments in both.

Some day in the near future alcohol may become of great importance in this country as a motor fuel, just as it is enabling the countries in central Europe to carry on their warfare today. They operate their cars and trucks on tires made from alcohol, and use alcohol in the tanks as fuel.

Whatever progress has been made in producing synthetic rubber in this country is probably due more to the Senator from Iowa than to any other person, because if it had not been for him, no one knows how much farther behind we would be today than we are now.

Mr. WILLIS. Mr. President, I thank the Senator from Vermont for this addition to the presentation which I have offered to the Senate.

While the work of the subcommittee has produced some very interesting observations, we have no reflection to make upon the petroleum interests of the country. It seems that the chemists of America have been studying the production of synthetic rubber from petroleum bases, and have not given the attention given in other countries to the production of rubber from alcohol produced from waste farm products. We

were able to bring before the committee some of the greatest scientists in the world, men who had practical experience. Dr. Rosten, of Poland, gave us the benefit of the work which had been done in Poland. By bringing this information to the committee and to the country we were able to develop a larger interest in the use of farm products and forestry products in the manufacture of alcohol for use in the production of rubber.

This is only a part of the field that can be covered. One of the greatest problems which will confront us after the war is how to dispose of surplus farm products. This problem is having the attention of the committee, and we shall pursue our efforts along that line, not with the intention of forcing anything on the country, but for the purpose of bringing the best information to bear on this subject. The success of the committee in stimulating the manufacture of rubber from alcohol produced from farm products gives hope that many new avenues will open to us.

I am glad that in the future America will not be dependent upon any foreign cartel for its rubber supply. If we should be so unfortunate as to be faced with another war, we would not be handicapped at the outset by the lack of an adequate supply of rubber.

I call this matter to the attention of the Senate because probably within a few days a request will be before the Senate for the modest sum of \$3,500 to continue the work of this committee. When that resolution is presented I shall ask for its consideration, and I trust that it will meet with the approval of the Senate.

EXEMPTION FROM RENEGOTIATION OF MACHINE-TOOL INDUSTRY

Mr. TAFT. Mr. President, I understand that the conferees on the tax bill have agreed upon the tax and renegotiation bill. I further understand that they are to meet once more before they finally approve the report.

The morning newspapers report that in dealing with renegotiation, although both the House bill and the Senate amendments prospectively exempt machine-tool companies from further renegotiation, the conferees propose to eliminate the exemption entirely. I have not studied the legislative question as to whether they have the power to do so when both Houses have exempted machine-tool companies, but I appeal to them to consider that question and see whether some provision cannot be made.

The situation is this: The Senate provision exempted the manufacturer of goods which had a life of more than 10 years. The machine-tool companies are in a peculiar position as compared to most other companies in the war effort. By selling more machine tools in 2 years than they have heretofore sold in 20 years, they have swamped the market for machine tools. So far as standard machine tools are concerned, they have killed their own market for probably 10 years to come.

There are a certain number of specialty machines. Probably from 20 to 25 percent of the total output of the industry consists of specialty machines, and

the production of such machines will continue. The other 75 to 80 percent of standard tools, such as lathes and the like, are today in such tremendous number in the United States and in England that as a practical matter the companies which manufactured them have killed their future market. It seems very clear that they are in a different situation than, say, the automobile companies, which have converted their facilities over to the production of war goods, and by failing to make automobiles have actually increased the automobile market, so that when they resume automobile production they will have a demand of from 50 to 100 percent greater than they would otherwise have, and probably in excess of their capacity to make automobiles.

The committee considered various methods of dealing with the machine-tool situation, and the Senate adopted an amendment providing that hereafter companies manufacturing durable goods having a life of 10 years should not be subject to renegotiation. They have been renegotiated since 1942. At one time the Senate provided retroactively that they should be exempted for 1942. But the conference committee decided otherwise. The companies have been renegotiated for those years, and they have paid on the profits for those years. In addition to that, the Senate passed a bill dealing with sales to the Defense Plant Corporation so that, although sales to the Defense Plant Corporation, a considerable proportion of their business, were exempt in 1942 because the Corporation was not subject to the renegotiation law, the recently passed tax bill would make that business for 1942 subject retroactively to renegotiation. That has not as yet been done.

Mr. President, various methods were proposed. It was conceived, for instance, that a machine-tool company making a machine tool which would last 10 years would spend from one-half to two-thirds of its time on piece work, would really not be 100 percent engaged in war work, and that seemed fairly obvious. Only the portion of the machine tool which is to be used during the war is really a war product. It was suggested at one time that the contracts of companies making the tools be renegotiable on the basis of from one-third to one-half of their business. The Senate finally decided to exempt them prospectively, and leave them taxed so far as their past business was concerned.

It seems to me that, since both Houses have taken a position in favor of exemption, such position being obviously just, because companies manufacturing this type of machine tools are in a different situation than any other manufacturing companies, the conference should reconsider the action it has taken in departing from the provisions of both bills, and should make some provision for partial exemption of machine-tool companies and other companies making permanent equipment which is used in producing war materials, but which will also be used in peacetime.

I may say that I understand that in England there are from seventy to eighty thousand more machine tools than can possibly be used, and when the officials were asked what they were going to do with those tools they said, in effect, "Well, they are mostly on lend-lease, and we are going to give them back to you." We have many more tools than are required today. We have a supply which will last 10 years. Undoubtedly the English and American supplies can to some extent be delivered to the European countries in which there has been a great deal of destruction of machine tools. But even in the case of such tools, there will be a tremendous surplus which will leave very little demand for their manufacture by companies for approximately 10 years.

Mr. President, I hope the Senate will take appropriate action.

Mr. LA FOLLETTE. Mr. President, the Senator from Georgia is not in the Chamber at the moment, although he has been here most of the session today. I wish briefly to state that the so-called exemption of machine tools by the House was not a specific exemption of the machine-tool industry. It came about as the result of the House definition of subcontracts, and covered other articles besides machine tools. The amendment of the Senate was a specific and a separate amendment to exempt the machine-tool industry from renegotiation. As the bill passed the Senate, it exempted that industry from renegotiation beginning with the fiscal year ending in June 1943. So I do not believe it is technically correct to say, or to leave the impression, that the House bill contained a specific exemption for the machine-tool industry. It is true that the House definition of a subcontract had the effect of exempting a large part of the machine-tool industry, but it also exempted other industries which fell into the same category. I very much doubt that the Senator from Ohio is correct in the statement which he has made, if the implication is that it was not within the power of the conferees to take the action which they have taken.

However, as a Senate conferee, I personally should be very glad to study the matter further, and make certain that we are not taking any action which is not justified under the rule.

I should like also to say to the Senator from Ohio that the action of the conferees on the part of the Senate came only at the end of a long, protracted conference, which met day after day, and I am sure the Senator from Ohio realizes that the Senate could not expect to have its way on every amendment. If he will look through the conference report when it is printed, I believe he will see that the Senate conferees have done the best they could do under the circumstances.

Mr. TAFT. Mr. President, I did not state that I thought there was any violation of the rule. I am not sufficiently familiar with the rule to make such a statement. I say only that since the House exempted machine-tool companies from future renegotiation, and since the Senate amendment exempted the machine-tool companies from future rene-

gotiation, it seems to me that the substance of the rule ought in some way to preserve that exemption, which was made by both Houses. It is only a suggestion which I think the conferees should consider.

Mr. LA FOLLETTE. I assure the Senator that there is nothing in the renegotiation section which was not considered and reconsidered, and again considered and reconsidered, day after day. Certainly, as one member of the conference committee, I shall be very glad to look into the point which the Senator from Ohio has raised, but I do not want the impression to be created that the Senate conferees—or the House conferees, for that matter—took action on specific amendments exempting the machine-tool industry, because the bill as it passed the House did not contain such specific exemption.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

The Senate resumed consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. TAFT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Gerry	O'Mahoney
Andrews	Gillette	Overton
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Bridges	Jackson	Stewart
Brooks	Johnson, Colo.	Taft
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Langer	Thomas, Utah
Butler	Lodge	Tobey
Byrd	Lucas	Truman
Caraway	McCarran	Tunnell
Chandler	McClellan	Tydings
Chavez	McFarland	Vandenberg
Clark, Idaho	McKellar	Wagner
Clark, Mo.	Maloney	Walgren
Connally	Maybank	Walsh, Mass.
Danaher	Mead	Walsh, N. J.
Davis	Millikin	Wheeler
Downey	Moore	Wherry
Eastland	Murdock	White
Ellender	Murray	Willis
Ferguson	Nye	Wilson
George	O'Daniel	

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Eighty-nine Senators have answered to their names. A quorum is present. The question is on the amendment offered by the Senator from Louisiana [Mr. OVERTON].

Mr. OVERTON. Mr. President, while the announcement has been made that a quorum is present, a great many Senators are absent. This amendment has been debated for 2 or 3 days and apparently there is considerable interest in it on the part of those who are for it and also on the part of those who are opposed to it. Therefore, I shall occupy a few moments of the time of the Senate until a larger number of Senators appear

in the Chamber to vote upon the amendment.

Mr. President, if this amendment is adopted it will have the effect of repealing sections 1 and 2 of Public Law 712, which was passed in 1942. I do not think there can be any question about that. That is the purpose of offering the amendment. The Senator from Illinois [Mr. Lucas], one of the coauthors of the committee bill, who has taken a leading part in its presentation, takes the same view, and the proponents generally of the committee bill apparently do not differ among themselves that if the so-called Overton amendment be adopted it will have the effect of repealing the two provisions of the act of 1942 relating to the poll tax and registration.

The other day in the course of my remarks I made the observation that registration is in many of the States based upon educational qualifications, and I took the position that if we, representing the Federal Government, can constitutionally dispense with registration, we can and do dispense with educational qualifications.

The junior Senator from Florida [Mr. PEPPER] challenged the correctness of that statement, to the extent, as I understood him, of saying that he did not know that registration was based upon educational tests—at least, he said it was not so in his own State of Florida. I did not know then what the law of Florida provided in respect to registration, and I did not know specifically what most of the State laws provided in respect to registration and educational qualifications.

This morning I obtained from the Library of Congress a compendium of State laws setting forth qualifications of voters in congressional elections. This brochure was prepared and revised as of date October 5, 1942.

I find that the State of Alabama prescribes that a citizen shall possess certain educational qualifications before he can vote or register to vote. I shall quote what the provision is in reference to the State of Alabama. The educational qualifications in the State of Alabama are:

Ability to read and write any article of the Constitution of the United States in the English language, unless prevented by physical disability; regular engagement in some lawful employment, business, etc., for the greater part of 12 months next preceding registration, unless physically unable to work.

That is a constitutional provision in the State of Alabama.

Going down the list alphabetically, I next come to the State of Arizona, which also prescribes educational qualifications for the privilege of suffrage. The law of Arizona provides that the applicant must show ability to read the Constitution of the United States in the English language in such manner as to demonstrate that he is neither prompted nor is reciting from memory, and to write his name, unless prevented by physical disability.

The State of California, on the west coast, also prescribes educational qualifications which must be complied with before an applicant for a vote can be

registered. The educational qualifications of an applicant in California are ability to read the Constitution of the United States in the English language, and to write his name, unless prevented by physical disability. This requirement is inapplicable to any person who had the right to vote on October 10, 1911, or was 60 years of age or over on that date.

The State of Connecticut, on the east coast, prescribes educational qualifications. The qualification is that an applicant shall have ability to read and write in the English language any article of the Constitution of the United States or any section of the statutes of the State.

The State of Georgia prescribes educational qualifications, among them ability to read any paragraph of the Constitution of the United States or of the State in the English language, and correctly write the same in the English language when read to him by a registrar. If unable to comply with this requirement because of physical disability he must be able to understand and give a reasonable interpretation of any paragraph of the Constitution of the United States or of the State that may be read to him by the registrar.

The State of Louisiana, my own State, and I give its provisions in detail, requires that the voter must have ability to read and write, which must be demonstrated when a person applies for registration by making written application for registration in the English language, or in his mother tongue, from the dictation of an interpreter, or by dating, filing, filling out and signing the blank application for registration. If unable to write the application by reason of physical disability, the application must be written at the applicant's dictation by the registration officer or his deputy, upon his oath of disability.

The applicant for registration must also be able to read any clause in the constitution of the State or the Constitution of the United States, and give a reasonable interpretation thereof. If he is unable to read or write he shall be entitled to register if he is a person of good character and reputation, attached to the principles of the Constitution of the United States and of the State of Louisiana, and if he is able to understand and give a reasonable interpretation of any provision of either constitution when read to him by the registrar.

The rest is so blurred in the copy I have that I cannot very well read it, but my recollection of the constitutional provision of Louisiana is that an applicant must be well disposed to the good order and happiness of the State of Louisiana and of the United States, and must understand the duties and obligations of citizenship under a republican form of government.

Maine prescribes educational qualifications, among them ability to read the constitution of the State in the English language in such manner as to show that the applicant is neither prompted nor is reciting from memory, unless prevented by physical disability. He must also be able to write his name. Massachusetts also prescribes educational qualifications,

as do Mississippi, New Hampshire and New York. The educational qualifications in New York contain among others the requirement of ability to read and write English, unless prevented by physical disability.

Oklahoma prescribes educational qualifications for voters. South Carolina also prescribes such qualifications. So does the State of Virginia. There is a provision in the Constitution of the State of Virginia to the effect that the voter must, unless physically unable, make application to register in his own handwriting, without aid, suggestion, or memorandum, in the presence of the registration officer, stating therein his name, his age, date and place of birth, residence at the time and for 1 year preceding, and whether he has previously voted, and, if so, the State, county, and precinct in which he voted last. He must, unless physically unable, prepare and deposit his ballot without aid.

The State of Washington prescribes educational qualifications. So does the State of Wyoming.

In my hasty review of the memorandum furnished by the Library of Congress I think I have mentioned practically all the States which require educational qualifications.

Mr. President, shall we now, by Federal legislation, strike out the State requirements that the voter must be registered? Shall we strike out such educational qualifications as are prescribed by the States for the voters before they can register?

Mr. President, there are Senators on this floor who have contended in the past and are contending today that registration is merely an incident in connection with voting. They contend that the Congress of the United States can brush aside the requirement of registration in order that a citizen may vote, because as they say, the registration does not involve a qualification. But Senators who so contend, Mr. President, overlook the fact that the favorable action on an application for registration is dependent, as a rule, upon the applicant's having acquired so much education, so much culture, and be possessed of so much intelligence that he can read an article of the Constitution of the Federal Government or an article of the constitution of the State and understand it. In other words, he must be sufficiently intelligent as to have some understanding of his duties of citizenship, to the extent at least of being able to read and interpret constitutional provisions of the Federal Government or of the State.

Mr. President, is there a Senator within the sound of my voice who will rise and say that these provisions with respect to educational prerequisites and requirements are not qualifications within the meaning of section 2 of article I of the Constitution of the United States, which declares that the qualifications of electors of the House of Representatives shall be the qualifications prescribed by the various States for electors of the most numerous branch of the legislature?

No one rises in his seat, Mr. President—and I have waited—to challenge the cor-

rectness of the statement I have just made.

If what I have said be true, how can we brush aside the provisions of the various States with respect to educational qualifications, as is undertaken to be done by section 2 of the act of 1942? It may be said—although I differ with those who take the position—that prepayment of a poll tax is not a qualification within the meaning and intent of the Federal constitutional provision, but it cannot correctly be said that an educational qualification is not a qualification within the meaning of the Federal Constitution.

Mr. President, it may be contended with a great showing of patriotism that we should waive any constitutional provision, or that we should set aside any conscientious scruples in reference to upholding the Constitution of the United States when it comes to permitting the men and women wearing the uniform of our country to vote in the coming Federal election. I said the other day, and I repeat, that such an argument carries with it a sentimental and a patriotic appeal, and one which it is very difficult to resist. But we are here, under the solemn duty and the solemn obligation of upholding the Constitution of the United States. Every Senator who now sits in this Chamber, or who has ever sat in this body, has taken an oath to uphold the Constitution of the United States. There is nothing in the Constitution of the United States that sets aside the provisions in reference to the qualifications of voters in time of war and in behalf of soldiers in the service of our country. There is no exception. It is a plain provision, applying to all States, to all citizens, at all times, whether in peace or in war.

There is one way by which the State provisions which provide for the qualifications of voters may be dispensed with, and that is in the manner indicated by section 2 of article I and the Seventeenth Amendment of the Constitution of the United States. That is by having the various States themselves prescribe the qualifications for the electors of the most numerous branch of their legislatures, and in the enactment of such law to provide that a soldier in the uniform of his country may vote without either registration or, in those States which require the prepayment of a poll tax, without the poll tax requirement. I understand that several of the States already have made such a provision. I understand that an appreciable number of States have made provision for absentee voting by the men and women who are in the service of our country in the war effort. I further understand that the Governors of a number of States have given assurance that the legislatures of their States will be assembled for the purpose of modifying the laws of their respective States in order to permit constitutionally the men and the women in the armed services to vote. That is the constitutional way, Mr. President. There is no other way.

The other day I went beyond the constitutional argument. I took the posi-

tion that, so far as I knew, and so far as I could appraise the sentiments of the people of my own State, they do not wish to abrogate the safeguards thrown around the ballot and placed in the Constitution by the founding fathers, in the supposed interests of our soldiers in time of war or in time of peace. We in Louisiana have the right under the Constitution to say what Louisianians shall vote for Presidential electors and what Louisianians shall vote for United States Senators and for United States Representatives in Congress. The Constitution designates and fixes the qualifications which the State of Louisiana fixes as requisite for electors of the most numerous branch of its legislature as the qualifications of those who can vote for United States Senators and for Members of the United States House of Representatives. The Constitution of the United States declares that the electors from the State of Louisiana to the electoral college shall be selected in the manner to be determined by the legislature of the State of Louisiana.

Mr. President, I not only said that was true in Louisiana, but I said I thought it was the prevailing view throughout the Southern States. In the Southern States we have a problem which perhaps those who have not been born there and lived there do not fully appreciate. We, down South, know that there is only one government which is going to be satisfactory to all classes of citizens—I repeat, Mr. President, to all classes of citizens—regardless of race, color, or creed—and that is the kind of government we are now enjoying. We do not want the character and complexion of that government changed. We do not want to go back to the bitter experiences through which the South went following the lamentable War between the States. Some day, perhaps, I shall talk more at length upon that subject; I shall undertake to show why I think that today, with the thin lines of demarcation between the National Republican Party and the National Democratic Party, the South remains overwhelmingly Democratic. I shall undertake to show, however, that certain things might be done by, through, and in, the Federal Government which might change the political complexion of the South. I hope they will not be done, Mr. President. So far as I am individually concerned, I have never in my life cast anything but an unscratched Democratic ballot. That has been true of my father, and of my grandfather before me, so far as I know and have been informed.

We want to adhere to the faith of our forebears. But there are three things which we place above the Democratic Party: One is the Constitution of our country. The second is our beloved Southland. The third is white supremacy in all the Southern States. If any of these is seriously threatened by the Democratic Party, I shall not hesitate, Mr. President, to pursue a different course from the one I have pursued in the past.

Mr. President, I rise to make a few observations until the Senator from

Maine [Mr. BREWSTER] should arrive in the Chamber. I understand that he desires to speak on the pending bill. I see that he is present, and I very gladly yield the floor.

Mr. BREWSTER. Mr. President, I shall not apologize to the Senate for taking time to discuss the pending bill, because I feel quite sure that my record in discussion is not such that I have unduly trespassed in this or other matters. However, in view of the fact that the State of Maine seems to be placed in a unique position with relation to Federal balloting, I feel a responsibility to my constituents to make clear to the Members of this body exactly what is being proposed.

I originally presented this question in the Senate last week, when the subject first arose, asking the Senator from Rhode Island [Mr. GREEN], one of those in charge of the bill, whether it was contemplated that the citizens of Maine, and particularly soldiers from Maine, should be accorded the same privileges and facilities given to other soldiers in the service of the United States. Certainly, there has been no failure to require of Maine its fulfillment of all obligations in the conduct of this war. When men were being selected for service there was no suggestion that Maine should be excluded from the provisions of the selective-service law. I think the record will indicate that the State of Maine has responded more freely to the call to service above and beyond the call of the Selective Service Act than has almost any of her sister States, and I am sure that record will continue.

So it is a matter of both surprise and concern to me that, having presented this question last week to those in charge of the bill, they still adhere to the position that, so far as Maine is concerned, it is outside the provisions of the first title of the bill. That leads to a rather interesting and somewhat amazing conclusion.

The President of the United States has taken occasion, in a somewhat unprecedented message, to characterize anyone who does not favor including soldiers in the provisions of title I as guilty of perpetrating a fraud upon the soldiers. I do not subscribe to that charge. I regret that the President of the United States has seen fit, in this rather critical period in our history, to use such strong language to characterize members of a coordinate branch of the Government.

I commend to him and to others associated with him in the discussion and consideration of this measure the words of a great President of the United States who was born in the sovereign State of Kentucky. I refer to Abraham Lincoln. Let me read what he said in 1862, in a communication to the Congress of the United States. I think that the tenor and purport of this message might well characterize Presidential communications during the present exceedingly critical year. This is what Lincoln said:

I do not forget the gravity which should characterize a paper addressed to the Congress of the United States by the Chief Magistrate of the Nation; nor do I forget that some of you are my seniors, nor that many of

you have more experience than I in the conduct of public affairs. Yet I trust that in view of the great responsibility resting upon me you will perceive no want of respect to yourselves in any undue earnestness I might seem to display.

I think Members of this body and Members of the House of Representatives may well commend the tone and tenor of that message to the gentleman at the other end of Pennsylvania Avenue, who, in the unfortunate extremity of his utterance, has not seemed, in my judgment, to contribute to the dispassionate consideration of public questions which is essential if we are to arrive at a proper result in the discharge of the very great responsibilities resting upon us.

I quote from the message of the President of the United States regarding this matter:

I consider such proposed legislation a fraud on the soldiers and sailors and marines now training and fighting for us and for our sacred rights. It is a fraud upon the American people.

If that language is warranted—and I do not believe it is—then exactly the same charge may be leveled at those who are sponsoring the pending legislation, because so far as soldiers from the State of Maine are concerned, they are relegated to consideration only under the provisions which the President of the United States denounces as a fraud.

The Senator from Rhode Island, in responding the next day to my inquiry regarding this matter, made it very clear, upon the authority of those whom he had found it appropriate to consult, that so far as the State of Maine is concerned, it was outside the provisions of title I, and would so continue; and yet title I is what is claimed to be essential if American soldiers are to have what are alleged to be their rights. I quote from the language of the Senator from Rhode Island:

Maine servicemen will vote in the September elections for State and local officers and Congressmen by making application for a State absentee ballot and by executing and returning such ballot to the secretary of state of the State of Maine. This is the procedure provided in title II of the Green-Lucas bill. Such State absentee ballots are available under Maine law on August 1, 42 days before the September 11 election.

I do not know where the authority was derived for the statement as to the date of August 1. It does not appear in any of the statutes which we were able to find, and I do not know on what that statement was based. However, the statement is very clear that Maine is not to be included under title I.

Mr. DAVIS. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. DAVIS. Am I to understand that men in the armed forces from the State of Maine who are overseas will be denied the right to have a ballot?

Mr. BREWSTER. They will be denied the rights accorded under title I of the Green-Lucas bill. The President saw fit to state that anyone who did not support title I for our soldiers was perpetrating a fraud. I say that if it is a fraud, then Senators on the other side

who are sponsoring this measure are themselves, in the language of the President, perpetrating a fraud upon soldiers from the State of Maine.

It so happens that we elect our Representatives in Congress and Senators, when there is a senatorial election, in the September election instead of in November. Under the provisions of the Federal ballot, which is supposed to be counted for Senators and Representatives in Congress, as well as for President and Vice President, and under the interpretation of this measure, in view of the refusal to consider any appropriate amendments, the right is denied so far as soldiers from the State of Maine are concerned.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. BREWSTER. I am glad to yield.

Mr. GREEN. I am sure that our friend the learned Senator from Maine does not wish us to draw false conclusions from his remarks, but anyone who was unfamiliar with the argument and who had not listened to the Senator would think that Maine was to be entirely excluded from having the provisions of title I applied to it. I know the Senator did not intend to say that. On the contrary he meant that as to part of the ballot Maine would be excluded, and as to the other part Maine would be included. In other words, the voters of Maine who are in the armed services would have the same right under title I to vote for President and Vice President that the citizens of other States would have. The only thing that Maine would be deprived of would be the right to have two elections conducted by the Army, instead of one. I make that statement in order that other Senators may understand what the situation is. In other words, the position is and will be that the Army will conduct one election only, and will not make an exception for Maine and conduct two elections.

Mr. BREWSTER. Mr. President, I do not think anything I said was inconsistent with the Senator's statement. He did not make his position entirely clear to the Senate. I believe, however, he did not mean to deny that we in Maine do elect our Representatives in Congress in September instead of in November.

Mr. GREEN. Certainly not.

Mr. BREWSTER. Under the bill, as now written, it would be impossible for Maine voters to participate in the approaching election.

Mr. GREEN. That is quite true. All I wish to call attention to is the fact that the Senator from Maine said that Maine would be entirely excluded from the operation of the provisions of title I. But it would not be excluded from the operation of the provisions of title I insofar as they apply to the election of President and Vice President.

Mr. BREWSTER. I should like to inquire of the Senator from Rhode Island, inasmuch as he has entered the discussion, whether he subscribes to the language used by the President in his description of those who oppose title I.

Mr. GREEN. I rose—and I did so rather unwillingly—to correct what I

thought was a misconception on the part of other Senators of the statement of the Senator from Maine when he said that Maine would be entirely excluded from the operation of the provisions of title I. I simply rose for that purpose.

Mr. BREWSTER. And the Senator does not care to comment on whether he agrees with the President's characterization of those who oppose title I?

Mr. GREEN. I do not care to be drawn into a discussion which, it seems to me, is being continued indefinitely. That was the reason why I hesitated to interrupt other Senators when they were speaking, because I knew that the object of some of the Members of the Senate was to prolong a discussion which I believe has already been unduly prolonged.

Mr. BREWSTER. Does the Senator from Rhode Island mean to intimate that I have trespassed too much upon the time of the Senate in connection with this matter?

Mr. GREEN. I do not mean to intimate anything with respect to anything the Senator from Maine has done. I merely meant that some Senators may have unduly prolonged the discussion.

Mr. BREWSTER. The matter was originally brought up by me in what I considered the most temperate fashion, by asking the Senator from Rhode Island to clarify this point if he could do so. I was reading from the statement of the Senator from Rhode Island regarding the reply we received. I am not clear whether the Senator from Rhode Island means to intimate that the only election of any importance in this country this year is the one to be held for President and Vice President. Certainly if the dignity of the Congress is to be maintained, I should be reluctant to suppose that a Member of this body would depreciate the importance of the selection of Representatives and Senators, unless he was also subscribing to the somewhat Executive point of view which has intimated a certain lack of honesty in this body. If these positions are to be treated as of equal dignity, then I assume that the Senator from Rhode Island recognizes that, as he now insists, the voters of Maine are to have half a right to vote; in other words, that they are to have a right to vote in November for President and Vice President, but are not to have a right to vote in the choice of their Representatives or Senator, if a Senator was to be elected this year by the voters of Maine. It happens that we are to elect three Representatives this coming fall. I believe those Representatives will have exactly the same right to feel strongly about this matter as does the Senator from Rhode Island or his colleagues.

I wish to proceed to read the statement of the Senator from Rhode Island which is to be found in the RECORD. It continues as follows:

The Army and Navy should not be required to give priority to any State ballot material over home mail. State balloting material is bulky. It requires more than one carriage.

I presume it is equally true that the Federal ballots will require more than one carriage.

What authority there may be for taking the position that the Army and Navy should not be required to give priority to State-ballot material over home mail, I do not know, except that for a subsequent statement that any interference with home mail delivery would "seriously hurt morale." The statement is that—

Such a system would seriously hurt morale.

I continue reading from the statement:

The soldiers overseas do not wish to have the delivery of their home mail seriously interfered with.

I sought in vain to ascertain from the Senator from Rhode Island the source of his authority for so complete a statement as that—whether he had conducted a canvass of the soldiers and sailors overseas, whether they had expressed a preference as to whether they would prefer to have a ballot or their mail.

However, I was interested to learn in this connection that during the period of the Christmas mailing, when the facilities naturally were used in a very effective way—and I think it is a tribute to the service rendered by our postal authorities—80,000,000 pieces of letter mail and other mail were carried to the members of our services overseas. Eighty million pieces—twice the number of ballots which would have to be transported overseas if everyone in the United States were overseas fighting. Eighty million pieces. Why the handling of 5,000,000 soldiers' ballots will wreck the postal-delivery facilities of this country it is impossible to conceive.

I examined this matter because it seemed to me that the entire discussion has been predicated upon the difficulty of getting the State ballots overseas. Everyone is apparently agreed that it is desirable to have the State ballots cast, if we can get them over and back. Not even the most outright champion of the Federal ballot has indicated that he preferred the Federal ballot to the State ballot, but only has viewed with regret the impossibility of sending the State ballots.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. LUCAS. The Senator has been talking about State ballots. Is he also in favor of sending overseas ballots to enable soldiers to vote for mayors, county boards, school boards, and other officials who will be elected in his own State in 1944?

Mr. BREWSTER. I have such regard for the dignity and importance of the ballot that if any soldier overseas desires to exercise his right to vote in any election, I would give his ballot over-and-back priority.

Mr. LUCAS. I agree with the Senator on that point. The only thing I question the Senator about is this: He was saying that apparently it was impossible for the Army and Navy to render this service.

Mr. BREWSTER. Yes.

Mr. LUCAS. We are now talking State ballots for Governors and other State and county officers.

Mr. BREWSTER. Yes.

Mr. LUCAS. I should like to have the Senator know that in Illinois, in 1944, we

will have 12,000 general elections for county commissioners, mayors of cities, members of school boards, other county officials, drainage commissioners, and various other public officers, all of whom are extremely important. I think the Senator will agree with me that from the standpoint of administration it would be utterly impossible to attempt to place ballots for 12,000 general elections—12,000 different elections, so far as ballots are concerned—in the hands of the soldiers overseas.

For instance, if there is to be an election for mayor of the city of Portland, Maine—a very important election—we should like to have the soldiers from Portland given an opportunity to vote in that election. But the question arises from the standpoint of the War and Navy Departments, How can we do it? If we are going to do it for one, we must do it for all. That is the point which I always bear in mind. I should like to see, I will say to the Senator with all the sincerity I possess, the soldiers vote for every candidate, for every conceivable officer in my State; but when the Census Bureau tells me that in Illinois next year there will be held 12,000 general elections, such as for mayors of cities, school boards, drainage commissioners, county commissioners, Governor, members of the State legislature, and so forth, many of them—indeed, practically all of them—on different days, then I think the Senator in all fairness must realize that it just cannot be done for Illinois; and if it cannot be done for Illinois, I think it cannot be done for Maine.

Mr. BREWSTER. Would the Senator consider that the question of whether or not a soldier might have a ballot might appropriately be decided by the soldier?

Mr. LUCAS. Of course; but a referendum cannot be taken, I presume, as to whether a soldier wants to vote for mayor.

Mr. BREWSTER. Would not the Senator permit him to sign a post card applying for the ballot?

Mr. LUCAS. Certainly; and that can be done under title II.

Mr. BREWSTER. Are the post cards in the hands of the soldiers overseas in accordance with the provisions of existing law?

Mr. LUCAS. Under title II we go as far as possible—

Mr. BREWSTER. I am asking whether the post cards are in their hands today. There is an existing law on the statute books that so provides.

Mr. LUCAS. That is correct.

Mr. BREWSTER. Have those post cards been sent?

Mr. LUCAS. They will be sent.

Mr. BREWSTER. The statute says they shall be sent on February 1, and this is February 1.

Mr. LUCAS. I cannot tell about that.

Mr. BREWSTER. I should think, if the Senator is so much interested in the question, perhaps he would be interested to know whether the present law has been complied with. I think that those responsible for the pending legislation should have given some attention to that question by this time. As I understand, the Senator has not done so.

Mr. LUCAS. Of course, the Senator misunderstands me. He is not debating the question; he is talking about postal cards.

Mr. BREWSTER. I want to know, first, whether the soldiers have their present rights.

Mr. LUCAS. They certainly have them.

Mr. BREWSTER. Have they the post cards now?

Mr. LUCAS. According to my information, the postal cards are being sent out under Public Law 712 to every camp throughout the world, but that does not bear upon what I am discussing.

Mr. BREWSTER. I am coming to that. I want the Senator first to tell me categorically whether or not the provisions of Public Law 712 have been satisfied, which say that post cards shall be in the hands of the soldiers overseas on February 1, and I understand the Senator does not know.

Mr. LUCAS. The Senator is not answering my question at all.

Mr. BREWSTER. I am coming to the question.

Mr. LUCAS. No; but the Senator is trying to draw me off on a side issue which I do not propose to follow. The Senator was telling the Senator from Rhode Island, apparently, how practical it would be for the Army and Navy to do this job, in view of the fact that they had done a lot of other things in carrying mails and Christmas presents and so forth to the boys overseas. I merely raised the point whether the Senator did not think the election of a mayor of Portland, Maine, was as important as the election of a county clerk or a sheriff in his county. That is the point I am raising, and I said that in Illinois 12,000 general elections would be held next year. If we consider all the elections to be held throughout the entire United States, I do not undertake to say what the figures would show, but I do know that the soldiers can't vote in all those elections, regardless of what we or the States do.

Mr. BREWSTER. I shall answer the Senator's question, but, first, I want to incorporate into the Record, so that no one in the Senate or the country may be under any illusions as to whether or not there is appropriate zeal for carrying out the provisions of existing law, section 3 of Public Law 712, page 2:

In each year in which an election for Senators and Representatives in Congress is to be held—

This seems to contemplate the importance of Senators and Representatives.

Mr. LUCAS. The Senator and I are for that.

Mr. BREWSTER. Just a moment—such post cards shall be made available by February 1, or as soon thereafter as practicable, and from time to time thereafter, prior to the holding of the election.

Now I want to suggest to Senators on the other side who have been exhibiting so much zeal for voting by soldiers that it would be very much more in harmony with their views and their zeal if they

could inform us whether or not the provision of the law requiring that post cards on which to make application for ballots to be in the hands of the soldiers on February 1 has been complied with. I wait for an answer.

Mr. LUCAS. I am glad to give an answer to the Senator but the only thing I can do is to refer to the testimony of Colonel Cutler of the Army, which the Senator will find if he will take a little time to look at the hearings before the Committee on Privileges and Elections. One of the reasons why the Army and Navy were interested in finding out what the Congress was going to do either with the so-called—

Mr. BREWSTER. They found out what we were going to do 6 weeks ago.

Mr. LUCAS. Does the Senator want me to answer him, and is he going to give me an opportunity to do so? If not, I shall have the answer in my own time. If the Senator is going to interrupt me, of course I cannot answer.

Mr. BREWSTER. I am certainly anxious to have the Senator answer.

Mr. LUCAS. The Senator is not very anxious for me to answer because he is now on a question entirely different from the one I rose to ask him about. I understand—

Mr. BREWSTER. I do not wonder that the Senator does not want to answer.

Mr. LUCAS. The Senator is a very clever and fine gentleman, and I like him, but it is necessary to watch him all the time to keep from being dragged down a blind alley. I rose to ask the Senator a question, and I am going to insist that he stay with the point, I raised in the first instance.

Mr. BREWSTER. May I ask the Senator, then—

Mr. LUCAS. No; the Senator is not asking me anything—

Mr. BREWSTER. This is the same experience I just had with the Senator's collaborator, who rose to ask me a question and refused to answer the one I asked him. Now, will the Senator answer my question if I answer his? [Laughter.] The Senator is very good at asking questions, but not at answering them.

Mr. LUCAS. The Senator is one of the most adroit men in the Senate in getting another Senator off the main track. I have one of those one-track minds, and when I get started along a certain line of approach I want to continue and the Senator from Maine is not going to derail me upon this one question. Now, I am willing to answer the question if the Senator will give me an opportunity.

Mr. BREWSTER. That is all I desire.

Mr. LUCAS. If he continues interrupting me I cannot do so.

The Senator asked me a question which has absolutely nothing to do with what I asked him, and he has not answered my question yet. He asked me a question whether or not the Army and Navy, under title II of the present law, Public Law 712, are going to send out post cards on February 1.

I referred the Senator to the testimony of the Army and the Navy before the

Committee on Privileges and Elections in which they definitely stated that, unless some legislation was passed by February 1, they would be compelled under Public Law 712 to send the post cards throughout the world, and they would do that. Why did they say that? They said it because if we pass either the Lucas-Green or the Eastland amendment or any other substitute there will be confusion. Under title II of the Green-Lucas bill or under certain provisions of the Eastland bill, there will be confusion with respect to the present law. In other words, they contend that perhaps they might have to send 13,000,000 cards within 30 days time in addition to what they are sending on February 1 under Public Law 712. The Army and Navy are complying with the law, and that is what they said they would do. I have no intention in any way to challenge the integrity of either the Secretary of War or the Secretary of the Navy. I think they will carry out the provisions of Public Law 712.

Mr. BREWSTER. All I want to say to that is that the Senator adroitly changed the language a little, as the law provides that the post cards shall be made available on February 1, not that distribution shall be started on that date. But I am quite willing to accept the Senator's amendment of the law, if he desires.

Mr. LUCAS. All I know is what the testimony shows with respect to what they said. I do not think the Senator from Maine should criticize too severely the Army and the Navy if they waited until February 1 to send out some 11,000,000 or 13,000,000 post cards, under Public Law No. 712, when it has been represented to them and to the country that some type of new legislation was coming out of the Congress, whether it be the Green-Lucas bill, or the Eastland amendment, or the Taft amendment, or some other measure. The Senator can readily understand that if soldiers all over the world are to get post cards under Public Law No. 712, and then 30 days later 13,000,000 more are to be sent under a new measure Congress may pass, great confusion might exist in addition to unnecessary administrative work. That is the whole point.

Mr. BREWSTER. I am quite willing to accept the Senator's statement. Would he consider it unreasonable if we should ask that by tomorrow he be able to tell us exactly what the Army and the Navy have done, for instance, whether or not 13,000,000 post cards have been printed? Is that asking too much?

Mr. LUCAS. No; I should be glad to get the information. I am satisfied that the Army and the Navy are acting in good faith in this matter.

Mr. BREWSTER. I do not have any question about that.

Mr. LUCAS. I think the Senator from Maine, who is a member of the Naval Affairs Committee, and a very able member, would not question the good faith of the Secretary of the Navy, Admiral King, and those who are under him.

Mr. BREWSTER. The Senator understands this is not a question of good faith. This is a question of whether or

not the law has been complied with, and the good faith of no one on earth is involved. If they tell me they have complied with the law, that is what I want to know.

Mr. LUCAS. If they do not comply with it, it is a question of good faith. I say to the Senator from Maine that the Army and the Navy have complied with the law, at least so far as the testimony shows that they can comply. In fact, they were very anxious to know what the Congress was going to do in order to keep from duplicating, so to speak, the sending out of the cards.

Mr. BREWSTER. I trust the Senator from Illinois did not undertake to anticipate our action.

Mr. LUCAS. Not at all.

Mr. BREWSTER. I am quite ready to answer the Senator's question.

Mr. LUCAS. The only thing I said was said in the best of spirit and in the utmost good faith, with respect to the problem about administration. I was merely pointing out that in Illinois this year, according to the Bureau of the Census reports, there are to be 12,000 general elections.

Mr. BREWSTER. In how many of those is there provision for an absentee ballot?

Mr. LUCAS. In every election the citizen can vote by absentee ballot.

Mr. BREWSTER. Oh, no—

Mr. LUCAS. Perhaps the Senator knows more about Illinois than I do.

Mr. BREWSTER. No; I do not know about Illinois, but absentee-voting provisions in many States do not extend to local elections.

Mr. LUCAS. They do in my State; I do not know how it is in the Senator's State. That is one reason why we should have a uniform Federal ballot, because what applies in the Senator's State does not apply to the State of Illinois, and what applies to the State of Georgia does not apply to the State of Maine. There are no two States in the Union which have anything like uniform voting procedure. There are 48 States and 48 different types of election procedure, and that is a very good reason for the uniform Federal ballot, and the only reason.

Mr. BREWSTER. Would the Senator consider that the soldier was the appropriate one to determine whether he should have an absentee-voter's ballot?

Mr. LUCAS. I did not hear the question.

Mr. BREWSTER. Would the Senator consider that the soldier was the proper one to determine whether he wanted an absentee-voter's ballot?

Mr. LUCAS. I undertake to say that the man on Guadalcanal, the man in Africa, the man in Asia, will never have an opportunity finally to ascertain from his county clerk whether he has an opportunity to vote.

Mr. BREWSTER. That is a most amazing statement.

Mr. LUCAS. The Senator knows how the mail runs. He has been around the world.

Mr. BREWSTER. Yes; I have been around the world, and I have had a son overseas for 2 long years, 1 year in the

South Pacific, and 1 year in the Mediterranean, and never have more than 10 days been required for the transmission of his mail. So I know whereof I speak. If the law were complied with, if every soldier overseas today, February 1, had the post card provided under Public Law 712, does the Senator from Illinois mean to intimate that it would be impossible to get their applications back to this country?

Mr. LUCAS. The only thing I can say to the Senator is that under the present law, Public Law 712, out of the potential number of 5,000,000 men in the service in 1942, only 28,000 ballots were cast.

Mr. BREWSTER. The Senator has finally hung himself. [Laughter.] The Senator has finally shown what is at the heart of this matter. Some of those in authority were not satisfied with the small number of applications. Did it ever occur to the Senator from Illinois why perhaps some of the servicemen did not apply? He has suggested that I have traveled around. We saw boys in many camps, and those boys were primarily concerned with the winning of the war. They were concerned about only one thing back home, and that was the reports they received regarding cessation of work. Admiral Halsey, returning from the South Pacific, has testified that the boys were not interested in the casting of votes.

Mr. LUCAS. Will the Senator yield?

Mr. BREWSTER. The 28,000 applications sent in 2 years ago afford a most convincing indication that the soldiers were entirely content to leave the voting to the people here, who know something of what has been going on in America since they left their homes. My own son has not seen his home in Maine for 2 long years. Perhaps he feels, and perhaps other boys feel, that their fathers and their mothers and their relatives at home can cast a vote more wisely, so far as things at home are concerned. At any rate, I am willing to leave the decision to the boy in the trenches as to whether he wants to sign the card and ask for a ballot. If he does, I would give him the benefit of the air-mail privileges, I would give to him what the Senator would seek to accord to him for the Federal ballot; that is, priority over any other mail, even official mail, in order to get him the ballot at any time, and in any place. I think America can do no less. But when an attempt is made to herd these boys to the polls, when a regimental commander will be challenged as to why only 5 or 10 percent of his men cast votes, that is not in accordance with my understanding of the freedom for which we are supposed to fight.

Mr. LUCAS. Will the Senator yield?

Mr. BREWSTER. I am very happy to yield.

Mr. LUCAS. Of course, the Senator has wandered far afield from the original question. I am surprised that he would charge that these boys will be herded to the polls.

Mr. BREWSTER. I was talking about the 28,000 boys who applied, and

what that meant. Does that answer the Senator's question?

Mr. LUCAS. No; the Senator has never answered my question. I rose only as a result of his answer to the Senator from Rhode Island, when the Senator said that these ballots can be carried across by air mail. I merely undertook to ascertain whether the Senator was in favor of carrying ballots for the election of mayors, candidates for school trustees, county commissioners, and the like, and all other general elections to be held in 1944. The Senator has never answered that question.

Mr. BREWSTER. I answered it before the words—

Mr. LUCAS. The Senator has wandered far afield, and talked about everything but that; and he has made a long speech, and I appreciate it. I listened to him attentively, and he has not answered my question, but the Senator has practically told me, as I understood his statement, that he does not want the soldier to vote in this campaign.

Mr. BREWSTER. Just a moment. I will have to ask the Senator to take that statement back.

Mr. LUCAS. Obviously, I will retract it if I am not correct. The Senator said that the people on the home front would be able to handle the situation.

Mr. BREWSTER. Just a moment.

Mr. LUCAS. If the Senator did not say that—

Mr. BREWSTER. I think there were a number of Senators in the Chamber, and people in the galleries who heard exactly what I said. I said that I would leave it to the individual soldier in the trench anywhere around the world. I saw the son of the Senator from New York overseas, and I saw the sons of many other Senators who are in the service. I will leave to every one of those boys the decision as to whether or not he wants to cast a ballot. I state further, as I said when the Senator first asked me the question, that I regard the ballot as of such importance that I would accord to every boy overseas the privilege of voting by absentee ballot in any election in which he chose to participate, and that I would accord to him every facility for getting that ballot. That is what I said when the Senator asked me the question. That is what I now repeat. But I do not care to have the Senator from Illinois determine whether or not any individual soldier shall be deemed to be in disrepute if he does not choose to cast his vote.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. LUCAS. The Senator wants the boys on Guadalcanal to vote?

Mr. BREWSTER. If they want to.

Mr. LUCAS. If they want to vote. The Legislature of Illinois has recently assembled in special session. The legislature has extended the time with respect to absentee voting to 45 days. But the State of Illinois still says to the boy on Guadalcanal or in Africa, "You must in the first instance make an application for a form." That, Mr. President, represents one mail service. That appli-

cation goes to the county clerk of my county. Then the county clerk sends back the form to the boy on Guadalcanal, or wherever he may be. That makes two mail services. The boy has to go before a commissioned officer and sign the form in order to get the ballot. Then the boy sends the form back, which makes three mail services. After the soldier swears to the form before a commissioned officer—not a noncommissioned but a commissioned officer—the form is sent to the county clerk, which represents the third mail service. The clerk sends the ballot to the soldier on Guadalcanal or wherever he may be, and that represents the fourth mail service. Then the soldier receives the ballot and executes it before a commissioned officer and sends it back to the county clerk. So there are five mail services before that boy's ballot finally is returned.

Mr. President, I merely make that statement to the Senator to show how almost impossible the situation is for the boy who wants to vote, who wants to cast a ballot for some candidate if he is outside the United States. He must finally have to go through what represents five mail services in order to get his ballot back from Guadalcanal to the county clerk within the 45-day period. Regardless of whether plane priority is given, it simply cannot be done in that period. The individual who thinks it can be done is not true to the American soldier who is fighting for our country.

Mr. BREWSTER. That is fairly strong language which the Senator has worked himself up to.

Mr. LUCAS. It is strong language, and I can make it stronger.

Mr. BREWSTER. I would suggest that the zeal of the Senator—

Mr. LUCAS. No; it is not zeal. I am giving facts.

Mr. BREWSTER. The Senator spoke of a period of 45 days within which to have the ballots delivered to the soldier and returned by him. He speaks of the difficulty of having the ballots sent from Illinois to Guadalcanal and returned in 45 days.

Mr. LUCAS. Not the ballots only. I am talking also about the first application for the form of the ballot.

Mr. BROOKS. Mr. President, will my colleague yield?

Mr. LUCAS. Yes, I yield.

Mr. BROOKS. There is no provision of the law of Illinois which requires the ballot to arrive within 45 days. Anyone can ask for an application, and he can send it back at any time.

Mr. LUCAS. The Senator from Illinois does not know the law of the State of Illinois when he makes that statement.

Mr. BROOKS. Yes; I do.

Mr. LUCAS. I do not have the law before me, but I can get it.

Mr. BROOKS. I have it here.

Mr. LUCAS. The law provides that a soldier anywhere must comply with the form laid down by the statute of the State of Illinois, and the statute requires the form to be sworn to before a commissioned officer, and I undertake to say that the Senator from Illinois will not

deny that there are still five mail services required under the law which was passed by the State legislature.

Mr. BROOKS. But the soldier can make his application now, and he does not even need to apply for it in person.

Mr. LUCAS. But five mail services are required within the 45 days.

Mr. BROOKS. No, not within 45 days. The ballot must be returned by mail within 45 days, and two mail services are required within 45 days, not five.

Mr. LUCAS. The Senator from Illinois is wrong.

Mr. BREWSTER. If the Senator from Illinois is anxious to look out for the boys from Illinois, would it not have been well to have seen to it that the provisions of existing law were carried out, and that the boys on Guadalcanal, on February 1, in accordance with the existing law, had received the post cards? All they would have to do with the post cards would be to sign their names and their addresses. I think the Senator underestimates the intelligence and wisdom of the soldiers overseas if he thinks that they cannot do that.

Mr. LUCAS. No.

Mr. BREWSTER. The Senator says an application for a form must be sent in. Very well; a form. We say a ballot. In either event the chain of circumstances is started operating.

Mr. LUCAS. I do not underestimate the intelligence of the American soldier at all. Not at all, Mr. President. Not nearly so much as some other Senators in this Chamber do, I am afraid. I maintain that the 11,000,000 men in our Army and Navy and Marine Corps have more intelligence, will come nearer to voting the ballot according to the way it should be voted, than any other 11,000,000 men that can be picked out in America, whether they be farmers, laboring men, or businessmen. The servicemen are world wise; they have stood the physical and mental tests; they represent the best that is in America today, and nothing should be done which would operate against giving them the quickest and the speediest opportunity, without interfering with the war effort, to obtain the ballot.

Mr. BREWSTER. Everything should be done except comply with existing law. That is apparently the only thing which is omitted.

Mr. LUCAS. I wish the Senator would answer my first question.

Mr. BREWSTER. I repeat for the third and last time that I regard the ballot as of such dignity and importance that I would afford every soldier and sailor in the service an opportunity to vote by absentee ballot if he desired and indicated his desire by the simple act of signing an application or a post card. Is that fair enough?

Mr. LUCAS. The Senator would not take the ballot to him? The Senator would not have us do as is done in New Zealand, as is done in Canada, as is done in Australia?

Mr. BREWSTER. I thought we still lived in the United States.

Mr. LUCAS. We do live in the United States.

Mr. BREWSTER. Yes; and our boys are looking forward to living there, and that is one place they want to be.

Mr. LUCAS. That is what those countries are doing. They are taking the ballots to their soldiers in the field.

Mr. BREWSTER. Is that the precedent that the Senator desires to set here?

Mr. LUCAS. No; not at all.

Mr. BREWSTER. I think we had better stick to America for a while.

Mr. LUCAS. The Senator from Maine does not need to warn me to stick to America.

Mr. BREWSTER. Apparently I do, because the Senator is going far afield.

Mr. LUCAS. No; I am not going far afield. The Senator from Maine is the one who is going far afield in fighting on the floor of the Senate against a uniform Federal ballot for the brave Americans who are out there defending our country.

Mr. BREWSTER. I have a boy out there, so I think we will let that rest.

Mr. LUCAS. Very well, we will let it rest.

Mr. BREWSTER. I am fighting for him as much as the Senator is fighting for whomever he is concerned about.

Mr. LUCAS. Very well. If the Senator wants the servicemen, wherever they may be, to assume the initiative in asking for the ballot, very well. The Senator does not want to take it to them, but I do.

Mr. BREWSTER. That is correct, and on that I am perfectly willing to rest my case with the soldiers and sailors and anyone else in the service of the United States.

Mr. President, I felt sufficient concern about this matter to ask the Governor of Maine regarding the application of our law, and I asked him to find out what provisions could be complied with and what could not.

Mr. LUCAS. Whenever the Senator from Maine will show me how the Army and the Navy can carry all the ballots for every general election in 1944 to every soldier in the war, wherever he may be, regardless of the applications that he might make for this and that, then I want him to tell it to the Army officials and the Navy officials, and if they do not convince him that he is wrong no one can, and I shall conclude that the Senator does not want to be convinced.

Mr. BREWSTER. How many soldiers and sailors does the Senator from Illinois anticipate will apply for ballots? Has the Senator formed an estimate of the number?

Mr. LUCAS. If none of them apply that will be satisfactory to the Senator from Maine. That is exactly what he wants.

Mr. BROOKS. Mr. President, will the Senator from Maine yield to me?

Mr. BREWSTER. Mr. President, I think I cannot let a statement like that rest, and yet I must attribute it, because of my regard to the senior Senator from Illinois, to the disturbance which he manifests over the uncomfortable position in which he finds himself. After the repeated statements I have made as to the privileges I would accord to the soldier and the sailor, I am quite sure

the Senator from Illinois does not mean to intimate that I am desirous of blocking the right of any soldier.

Mr. LUCAS. Not at all, not at all. I would not say that of the Senator.

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. LUCAS. Yes.

Mr. BROOKS. Because of the fact that the law of Illinois was brought into controversy, I ask permission to read the law most recently passed at a special session of the State Legislature. I quote from it as follows:

Any elector as defined in the foregoing section expecting to be absent from the county of his residence on the day of such election may, not more than 100 nor less than 5 days prior to the date of such election, make an application to the county clerk of the county of his residence for an official ballot for his voting precinct to be voted on at such election.

It is not within 45 days; it is within 100 days.

Mr. LUCAS. It is not within the day, either. The Senator said the soldier could make an application today. So the Senator was wrong, and so was I.

Mr. BROOKS. And the law provides that any relative or any friend may ask for the application and may send it to the soldier now, so that the soldier can mail it back; and if it arrives within 100 days, then 45 days is allowed for the ballot.

Mr. LUCAS. I am very happy that that provision has been adopted, because that is exactly what I suggested to the Governor of Illinois, but I doubt that that is the law.

Mr. BROOKS. Mr. President, I think perhaps we should let the Record show that since the State of Illinois has adopted the suggestion of the senior Senator representing that State, he should support his State and the State ballot.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BREWSTER. I am glad to yield.

Mr. LUCAS. I will have something to say with respect to the Illinois State law before the debate is finished. I know exactly what was done. I know all about it, and I am preparing a brief statement concerning it. Especially shall I make it now, in view of what my colleague on the other side of the aisle has said.

Mr. BREWSTER. Mr. President, I assume the Senator from Illinois will not charge us with delaying the vote on that account.

Mr. LUCAS. No; I do not charge the Senator from Maine with anything at all.

Mr. BREWSTER. If I may now resume my remarks about the situation in Maine, I should like to say that I have secured an opinion from the Governor of Maine regarding what may be possible under the provisions of existing law. The opinion would seem to indicate that, so far as Maine is concerned, we may be able to get along very well in spite of the failure of the distinguished advocates on the other side of the aisle to consider Maine as being within the purview of the Union.

The following statement has been issued by Gov. Sumner Sewall, after ex-

tended conferences with Harold I. Goss, the secretary of state, and Frank I. Cowan, the attorney general:

A careful study of Maine law and existing voting machinery indicates that our soldiers and sailors will have an opportunity, wherever they may be, to vote in the regular State and National elections, if:

(1) The Federal Government can handle round-trip mailing of ballots in 45 days;

(2) Parents or friends will supply city and town clerks with military addresses of those in service.

An Executive order will be necessary to permit absentee registration of servicemen in cities of more than 3,000 population as it is now permitted in smaller communities. Also, parents and friends must be granted the right to request that soldier absentee ballots be sent to registered servicemen. These provisions I can and am willing to make by appropriate executive order.

Due to the delay caused by recounts, soldier votes will not be counted for candidates not placed on the ballot by the official canvass of the Governor and council of returns filed by municipal clerks.

The weight of our customary ballot, directions for voting, referenda questions, and envelopes is about one and one-half ounces. If reasonable weight restrictions are imposed by the Congress or by the War and Navy Departments, we are confident that we can meet them. If necessary I am prepared to incorporate in any executive orders that may be required, provision for printing of ballots on lighter paper.

I realize, of course, that many questions may arise and that unforeseen circumstances may appear. However, this is the best approach to the problem as we now see it. Unless and until the Congress takes specific action to provide otherwise, we shall go ahead with plans along these lines.

With respect to the matter of the round-trip mailing of ballots in 45 days before the Maine election on September 11, I am advised by the War Department that there should be no difficulty in accomplishing the transfer, so far as air mailing is concerned, and, in most theaters, even so far as transportation by boat is concerned. I am advised that probably the 45-day period will be sufficient for transportation from the State of Maine to the servicemen and back; in all instances it will be sufficient if transportation is had by air mail; in most instances it will be sufficient if transportation is had by boat mail.

With respect to the other provision regarding the supplying of the addresses, the Governor apparently was proceeding, by premonition, upon the theory that he could not rely upon having the Federal authorities supply the post cards provided for by existing law. If the postal cards were in the hands of the boys overseas, as provided by law, on February 1, today, then any serviceman who desired to vote would simply fill in his name and his voting residence, and the post card would be on its way as promptly as desired.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. MILLIKIN. Since the question arose between the distinguished junior Senator from Maine and the Senator from Illinois, I have made inquiry of the War Department, and have been informed that those post cards are being

held up in the ports of this country, and that they have not yet been made available to the soldiers abroad.

With respect to the question of the weight of mail, I have been curious about the matter; so I telephoned my office and asked my office staff to take a full-sized sheet out of a full-sized newspaper, place it in an envelope, and weigh it. I have just been informed that it weighs half an ounce.

Inasmuch as we are sending millions and millions and millions of pounds of ammunition and shells to our soldiers to use, I suggest that they are worth a few half ounces of ballot material so that they can vote.

Mr. HOLMAN. Mr. President, will the Senator yield to me so that I may make an observation?

Mr. BREWSTER. I yield.

Mr. HOLMAN. I simply want to say that the Office of War Information is sending, each year, \$30,000,000 worth of motion pictures, supplies, booklets, pamphlets, magazines, and pictures of Candidate Roosevelt all over the world. [Laughter.]

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. REVERCOMB. In respect to the information we have just received, let me say to the able junior Senator from Maine that it would be of great importance to find out at whose instance the post cards have been held up. Under the law, they are supposed to go forward to the soldiers today. If they are being held up, I think it most important to ascertain who is responsible for the delay in getting the post cards into the hands of the soldiers, so that they can vote.

Mr. BREWSTER. Mr. President, I have asked the Senator from Illinois, who is in charge of the bill. In his absence I refer to the Senator from Rhode Island, and should like him to give us a statement not later than tomorrow as to what has happened to the existing law, so that we may be sure, or so that at least we may contemplate, what might happen to any future law.

Mr. GREEN. Mr. President, I do not know whether the Senator from Maine has asked me a question or not. However, inasmuch as when I previously understood he was making a speech, I later was told he had asked a question I had not answered, I would take it for granted that this is a question.

Mr. BREWSTER. Mr. President, I wish the Senator would answer my previous question first. I would yield for that purpose.

Mr. GREEN. I have no knowledge as to the reason why the post cards have not been sent out; but I would call attention to phraseology in the law which does not make it mandatory to send them out on February 1. The law reads:

On February 1, or as soon thereafter as practicable.

Mr. BREWSTER. Mr. President, let me inquire of the Senator why it is impracticable to furnish them now.

Mr. GREEN. I assume that the departments have found it impracticable to send them out.

Mr. BREWSTER. Why?

Mr. GREEN. I do not know that reason. I have no doubt that the departments would be very glad to answer any requests for information by the Senator from Maine or by any other Senator.

Mr. BREWSTER. The Senator from Illinois stated that the reason why they had not sent them out was that they were waiting to see what Congress was going to do with some Federal legislation.

Mr. GREEN. I have given my answer.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. BARKLEY. In order that the law may be inserted in the RECORD, I suppose it would not be inappropriate to read it.

Mr. BREWSTER. I have already read it into the RECORD, in the absence of the Senator from Kentucky, but I am happy to have it read again. I think all Senators should be compelled to read it until they comply with it.

Mr. BARKLEY. Very well; we will comply with it. It reads as follows:

In each year in which an election for Senators and Representatives in Congress is to be held, such post cards shall be made available on February 1, or as soon thereafter as practicable, and from time to time thereafter, prior to the holding of the election.

So it is within the law to make them available, not before the 1st of February, but any time thereafter, from time to time.

Mr. BREWSTER. Mr. President, in view of the tremendous anxiety generated here as to the possibility of having the servicemen vote, does the Senator want to rest his case on the statement that it is all right if the post cards are not put in the hands of the soldiers and sailors until the middle of the summer or until the fall?

Mr. BARKLEY. No. I am quite satisfied that the War and Navy Departments, or any other departments charged with this duty, will carry out their duty in every practical way. This happens to be the first day of February. I do not know why the post cards have not all been sent over and are not in the hands of the soldiers. The law does not require that.

Mr. BREWSTER. It contemplates it.

Mr. BARKLEY. The law says "as soon thereafter as practicable." The fact that they have all been sent to the ports of debarkation shows that the departments have taken steps to send them overseas. The fact that they have not actually been sent out is certainly no evidence of negligence on the part of the departments.

Mr. BREWSTER. Why would it have been impracticable to have sent them? We have heard a great deal about the amount of time required to transmit ballots overseas and back. I presume it takes as long to transmit post cards. Why do we have post cards at the ports of embarkation on February 1, instead of

at Guadalcanal, the Solomons, the Caribbean, or elsewhere?

Mr. BARKLEY. I am sure the Senator does not interpret the section which he has read, and which I have just read, to mean that the various departments must have the cards in the hands of the soldiers by the 1st of February.

Mr. BREWSTER. The law says they must be available. What does "available" mean? Does it mean available here? I am sure the boys cannot come here to get them.

Mr. BARKLEY. "From time to time thereafter" certainly does not mean on the first day of February. "As soon thereafter as practicable" does not mean on the first of February. The law intended to give the departments some leeway in getting the cards to the soldiers.

Mr. BREWSTER. I am very sure that is not the case.

Mr. BARKLEY. It is not incumbent on the departments to have them all in the hands of soldiers on the first of February, for an election which takes place in November.

Mr. BREWSTER. In Maine we are to have an election in September. That is what we have been talking about.

Mr. BARKLEY. It is a long time until September.

Mr. BREWSTER. I am quite sure that if the War and Navy Departments are prepared to advise us that it was not practicable to get them into the hands of soldiers on February 1, we shall be happy to accept that statement; but I doubt very much whether that statement can be made or will be made by those in authority.

Mr. BARKLEY. Certainly if the War Department, the Navy Department, or any other department, on the very first day on which it is required to have them available, has not sent them overseas, it has a good reason for it. The Department cannot do it earlier than that date. The Department has between that date and the time of the election. The law says "as soon thereafter as practicable" and "from time to time thereafter." The Department has the time during the year between now and November to do it. Certainly the Senator from Maine would not be unfair enough to say that the War Department or Navy Department should have all these cards in the hands of soldiers today.

Mr. BREWSTER. I will say that the Senator from Kentucky makes a somewhat better defense than did the Senator from Illinois in the first instance, because unfortunately he said—

Mr. BARKLEY. I do not think there is any occasion for a defense. I do not think there is any occasion for a charge that the departments have neglected their duty because on the first day on which the law requires them to make the cards available, they have not got them in the hands of every soldier and sailor.

Mr. BREWSTER. Why does the law say "as soon thereafter as practicable"?

Mr. BARKLEY. That is what Congress said.

Mr. BREWSTER. That would seem to indicate that February 1 meant something.

Mr. BARKLEY. That is what the Congress said.

Mr. BREWSTER. Yes.

Mr. BARKLEY. The Secretary of War did not say "as soon thereafter as practicable."

Mr. BREWSTER. The Congress of the United States said it.

Mr. BARKLEY. Yes.

Mr. BREWSTER. The Congress of the United States is still supposed to give orders to the departments. When the Congress of the United States says "as soon thereafter as practicable," I want the executive departments to tell us why it was not practicable to have these post cards in the hands of the soldiers on February 1, particularly when for 3 weeks we have heard the welkin ringing with the desire to give the soldiers the ballot.

Mr. BARKLEY. I have no objection to the War and Navy Departments telling the Senator from Maine, or any other Senator, or the whole Senate, or the entire United States, why they have not been able to get them to the soldiers on this very day.

Mr. BREWSTER. We shall be glad to know.

Mr. BARKLEY. I am quite satisfied that the Senate and the country will be satisfied with their explanation, whatever it may be. But certainly it is unfair to rise in the Senate and charge the Departments with neglect because on the very first day on which they could make them available, they are not in the hands of the soldiers.

Mr. BREWSTER. I am not charging them with anything. I am merely asking.

Mr. BALL. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. BALL. While we are discussing Public Law 712, let me say that reference was made a few moments ago to the fact that only 29,000 members of the armed forces voted by absentee ballot in 1942. I have heard the figure of 35,000 stated. It might be well to note the fact that Public Law 712 was approved on September 16, 1942, which was less than 45 days before the 1942 general election. Obviously, the postal cards provided for in Public Law 712 could not possibly have been printed and distributed to the men in time to have had any effect upon the 1942 election.

Mr. BREWSTER. I thank the Senator.

Mr. President, I wish to conclude my statement before I am charged with delaying the vote. I shall conclude with the simple statement with which I began.

During the Christmas period, when a great deal of mail was very efficiently handled, 80,000,000 pieces of mail were sent overseas. I do not know how many were sent in the other direction, but undoubtedly an appreciable number. I never expected to have to defend the Post Office Department or the War and Navy Departments for their efficiency in transmitting mail overseas, but apparently that burden falls on me. When we talk about four or five million ballots, it

seems to me to be nothing short of fantastic to suggest that during the time which will elapse between now and the time of the election an undue burden would be imposed. I sincerely hope that the suggestion of the Senator from Michigan [Mr. VANDENBERG], providing for the air-mail facilities for State ballots, will be adopted, and that the same language will be used that was used in connection with the Federal ballot. It was provided that the Federal ballot should take priority over even official mail. I hope the same privilege will be accorded to State ballots, which elected the Senator from Rhode Island, and that such ballots will be accorded the same sanctity and priority which are proposed to be accorded this hermaphrodite ballot.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. GREEN. May I ask the Senator from Maine on what he bases his figure of 4,000,000 or 5,000,000 ballots?

Mr. BREWSTER. We have heard it stated that there are approximately 5,000,000 soldiers and sailors overseas. If all of them should want to vote, between 4,000,000 and 5,000,000 ballots would be required.

Mr. GREEN. Does the Senator believe that under any other system than the Federal ballot system the number of ballots to be sent to 5,000,000 soldiers could be kept within the limits of 5,000,000 ballots?

Mr. BREWSTER. I do not understand the purport of the question. Does the Senator from Rhode Island prefer double or plural voting? In Maine we vote only once. [Laughter.]

Mr. GREEN. I did not know that voters in Maine voted that often. In the State of Rhode Island—which I will say, before the Senator from Maine says it, is the smallest State in the Union—we have 100 ballots on election day. If a Federal ballot is sent, only one ballot must be sent to each soldier; but under any other system, if we have 100 ballots, one of each of those ballots must be sent to each soldier.

Mr. BREWSTER. The Senator does not mean 100 ballots to each individual, does he?

Mr. GREEN. More than that.

Mr. BREWSTER. I am sure the Senator is mistaken.

Mr. GREEN. We are talking at cross purposes.

Mr. BREWSTER. Yes.

Mr. GREEN. At least, the Senator from Maine is. In the State of Rhode Island there are 100 ballots. In other words, there are 100 separate districts, and there are 100 separate ballots, for the State election alone. I am not referring to municipal or town ballots. The State ballot has on it the names of candidates for State representatives and senators. So there are 100 separate ballots. If that be true of all the States, that means 100 times 10,000,000, does it not?

Mr. BREWSTER. We have 153 ballots in Maine.

Mr. GREEN. In other words, instead of 10,000,000 ballots, for Rhode Island

alone there would have to be 100 times 10,000,000 in order to get one of each kind of ballot into the hands of each soldier. There is no getting away from the logic of it.

Mr. BREWSTER. There is no logic whatsoever in what the Senator says.

Mr. GREEN. How are we to find out where the Rhode Island soldiers are?

Mr. BREWSTER. By the simple act of the Rhode Island soldier sending his name on a post card. That is the way I propose to do it, if the Senator will only let him have the post card. I am sure that even the soldiers from Rhode Island are capable of performing that simple act. [Laughter.]

Mr. GREEN. As I understand, the Senator is advocating the existing law.

Mr. BREWSTER. I advocate compliance with the existing law, and also expedition of the process; I had always assumed that the Executive would expedite it. I do not think legislation is required to send the ballots by air mail; but if so, I would advocate such legislation, provided that the State ballots may go out and be returned by air mail.

Mr. GREEN. I am sure that the Senator, with his wide knowledge of the subject, knows that in a great many States application for an absentee voter's ballot must be made on a form provided by the State.

Mr. BREWSTER. If the soldier has the post card on February 1, he has 5 months in which to mail and receive the ballot.

Mr. GREEN. That form would not comply with the laws of the State.

Mr. BREWSTER. Does the Senator mean that it would not be considered a formal application?

Mr. GREEN. Application for a ballot must be made on a form provided by the secretary of state. In some States five transmissions would be involved. A man must write in for a formal application. The form for that application comes from the secretary of state.

Mr. BREWSTER. That is correct.

Mr. GREEN. The secretary of state sends him the form, the soldier fills out the form. The ballot is then sent to the soldier, and the soldier sends back the ballot. All that must be done in a period of time which would make it absolutely impossible for the transaction to be completed in time for the election.

Mr. BREWSTER. I understand the initial transaction is that the soldier writes for an application. Is that correct?

Mr. GREEN. That is correct.

Mr. BREWSTER. Do I correctly understand the Senator from Rhode Island to say that the post card would not be considered as an application for an application?

Mr. GREEN. That is correct, because the form of application is provided for in the State law.

Mr. BREWSTER. Does the Senator mean to say that a soldier 10,000 miles away must know the provisions of the Rhode Island statute as to how he shall make application for an application?

Mr. GREEN. I am not talking about the Rhode Island statute or the Maine statute.

Mr. BREWSTER. The Senator said that the soldier had to write for an application. I cannot conceive that any statutory provision provides the form in which he shall write a letter for the application. I never heard of such a thing, even in Rhode Island.

Mr. GREEN. I stated distinctly that it was not in Rhode Island.

Mr. BREWSTER. That is correct. I had supposed that when the secretary of state of Rhode Island or any town clerk received a post card from a serviceman saying that he wanted to vote, it would at least be considered as a sufficient request for an application.

Mr. GREEN. It is not so considered in some States, and in other States there is no such thing as an application.

Mr. BREWSTER. Then I commend the action of the Governor of Maine, who asked the Attorney General for an opinion, and was advised that an Executive order would certainly be sufficient to cover that very simple provision of the law.

Mr. GREEN. I congratulate the Governor of Maine for having done the best he could under the Maine statute. Whether he has exceeded his authority is much more questionable than whether the Congress would exceed its authority by enacting a Federal ballot law.

Mr. BREWSTER. I am sure the Governor of Maine will appreciate the opinion of the Senator from Rhode Island, in view of the opinion he has received from the attorney general. I am sure that he will still be guided by the attorney general.

Mr. GREEN. I am sure that he will be; and I hope that some day the attorney general will receive an appropriate reward and sit in the Halls of Congress. However, the prestige of the State of Maine has somewhat fallen. It used to be said that as Maine goes in September so goes the country in November. Now it is said that as Maine goes in September so go Maine and Vermont in November.

Mr. BREWSTER. The Senator from Rhode Island had better wait until next November before speaking so definitely. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER. Any further demonstrations by occupants of the galleries will be dealt with by the Senate. Several times there have been demonstrations both on the floor and in the galleries. They must cease.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. VANDENBERG. I invite the attention of the Senator from Maine to the fact, which I have just noticed for the first time, that apparently title II will have to be amended or there may be six mailings instead of five, because apparently, from the language on page 42, the soldier cannot even obtain an original post card except on request. So he has to write for a post card which he

can use to write for a form, which he can use to fill out for an application, which he can use to obtain a ballot, which he can use to vote later.

Mr. BREWSTER. In the State of Maine the post card, if the soldier can secure it, will be considered as a sufficient application for a ballot.

Mr. President, I leave this matter. I am sorry to have taken so much time of the Senate.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. MILLIKIN. I have further information relating to the inquiry which I made a while ago as to the whereabouts of the post cards, and why they have not been made available to our soldiers.

I have been told that in foreign theaters of war as of July 17, 1943, there were 816,000 post cards; and that the commanding officers of our 41 theaters of war are trying to find out how many more, if any more, our servicemen will want as the basis for requisitions on the 7,304,000 post cards which are still in the ports of this country.

Mr. BREWSTER. I thank the Senator for the information.

Mr. President, I do not want to close my remarks on the note of levity which has marked some portions of the discussion. I am sure that every Member of the Senate is keenly desirous of affording an opportunity for all soldiers and sailors who so desire to participate in the approaching election. I think I can speak not only from contact with my own son and two nephews who are in the service, two of them having been overseas for a long time, but also with many boys, as well as many young women whom we saw in our trip around the globe last summer. I am confident that if the post cards are placed in their hands so that they may know they may obtain absentee voter's ballots if they desire them, there can be no question upon their part about what we here at home have thought of them, and that we have given thought to this matter. The very efficient operation of our postal service, as indicated in the communications which I have received from the War, Navy, and Post Office Departments, leads to the conclusion that within a 45-day period from the time of arrival of the post-card application until the election, if the ballots are made available and forwarded with the cooperation which I am confident we can count on from those in authority when they once determine what the law is, no boy in the service will be deprived of his ballot privilege.

With that statement I am ready to rest my case, confident that no one at home or abroad can misunderstand the individual position of Senators who have participated in this debate.

Mr. DAVIS. Mr. President, we in America, and every other democratic society, believe that the right of suffrage is one of the most essential and necessary rights which any man or woman can possess, and we have gone to great lengths in the past to secure, preserve, and protect that right in all its phases.

Today many millions of American men and women who have answered the call to defend their Nation's freedom and honor are being threatened with conditions which would deny them the fundamental right of direct participation in the selection of their governing officers.

I certainly believe that if this Nation can call upon these young Americans to face the fire of the enemy, to give up home and friends, and to move into strange and foreign lands, this Nation, in all justice, can and must extend to those people the right and the opportunity to participate in the forthcoming national elections, which will have such a tremendous influence on our future development.

Mr. President, more than ten measures have been introduced in one House of the Congress or the other, all of which are designed to extend the right of suffrage to servicemen. These measures vary in their nature, but I am sure that they are all sincere efforts to solve this problem to the satisfaction of all parties concerned.

I have given very careful consideration to this problem, and it is my sincere conclusion that this situation cannot be effectively met under a system conducted upon the basis of 48 distinct and separate State laws. I believe any system of this type would entail administrative burdens and responsibilities beyond any hope of fulfillment.

It is for this reason that I look with disfavor upon any system which would undermine the rights of the States or further reduce their power. The State should make every effort to put the ballot in the hand of the voter in time so that it can be returned to his voting district and be counted. Where it is impossible for the State to assure those eligible in the armed forces to vote, I favor the Federal system. I want to be sure that those who are eligible to vote in the Army, Navy, Marine Corps, and all others in the armed forces shall have the opportunity of casting that ballot.

Mr. President, it would represent a defeat of the most tragic proportions to free government if we in America, by inaction or by improper action, should fail to provide this necessary machinery. Such a fundamental problem as this must not be regarded as a political question. It transcends politics of whatever nature. It is an issue which must be reconciled and solved in the halls of Congress. Since it is an issue which must be reconciled and solved in the halls of Congress, I must take exception to the stand taken by the politically interested citizen on Pennsylvania Avenue, who would direct and control the functionings of this body. Inferences and calumnies will not solve this problem. A sincere attitude of co-operation would help a great deal.

There is no man in America, Mr. President, who is charged with the sole responsibility of looking after the health and welfare of the men in the armed services, or with overseeing and directing the operation of their duly elected legislative body. This Congress, as all previous Congresses before it, has always been and always will be sincerely

interested in extending every help and every assistance we can to those men who have been called to fight our battle of preservation. And we can do that job much more effectively and much more to the satisfaction of all parties concerned without uninvited interference from other quarters.

I am hopeful, Mr. President, that the Congress will enact this legislation at the earliest possible date, for the important matter is to get the ballots across the seas, to get them marked, and to get them home and to get them counted. I know that we can provide the means for accomplishing that necessary function of American democracy.

Mr. BRIDGES. Mr. President, I send to the desk proposed amendments and ask that they be read, lie on the table, and be printed.

The PRESIDING OFFICER. The amendments will be stated.

The CHIEF CLERK. On page 29, line 8, before the comma, it is proposed to insert a comma and the words: "except that under the heading 'Electors of President and Vice President of the United States' the commission shall print the names of the candidates for President and Vice President and their respective political parties in the spaces provided therefor."

And on page 29 in the form of the official war ballot appearing after line 8, it is proposed to strike out all the matter preceding the heading "United States Senator" and insert in lieu thereof the following:

OFFICIAL FEDERAL WAR BALLOT

Instruction: (1) To vote for President and Vice President, place an X in the space opposite the names of the candidates of your choice.

(2) To vote for United States Senator or Representative in Congress, write in the name of the candidate of your choice for each office or write in the name of his political party—Democratic, Republican, Progressive, or other.

ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

(Place an X in the space opposite the names of the candidates of your choice for President and Vice President)

Names of candidates for President.....
Names of candidates for Vice President.....
Political party.....
Choice

Mr. BRIDGES. Mr. President, I should like to send to one of the co-authors of the bill, the distinguished Senator from Illinois [Mr. LUCAS], a copy of the amendments I have offered, so that he can be studying them during the period in which I am speaking.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RUSSELL. I inquire what disposition was made of the amendment offered by the Senator from Louisiana [Mr. OVERTON].

The PRESIDING OFFICER. No disposition has been made of it. The amendment of the Senator from Louisiana is still pending. The amendment presented by the Senator from New Hampshire, as the Chair understands,

is simply sent to the desk to be read, printed, and lie on the table, and that order will be made.

Mr. BRIDGES. Mr. President, the proposed legislation pending before the Senate is purportedly designed to facilitate voting by the men and women of the armed forces. With that objective I am in accord. With that objective I hope every Member of the United States Senate and every Member of the House of Representatives is in accord.

I gather from the message delivered to this Chamber a few days ago that the President of the United States also is in favor of our soldiers and sailors voting, although there seems to be a slight difference of opinion between the Congress and the President as to whether laws should be within the limits of the Constitution or not.

If it were not that the President had assured us that he is not speaking as Chief Executive, and not as Commander in Chief of the armed forces, and not even as Candidate Roosevelt, we might almost suspect from the tone of his message that there was some politics involved in the special message of the President. But Mr. Roosevelt assures us very definitely that he was speaking merely as a private citizen, and, of course, there was no politics connected with the message.

Mr. President, you will excuse others of us private citizens if at times we are not sure what robes the President of the United States is wearing when he speaks. For instance, at one time he speaks as "Dr. New Deal"; the next time it is "Dr. Win the War"; and very soon I expect him in a message to Congress or in one of his fireside chats to say, "I am Dr. Politics-Is-Out-for-the-Duration." I think that would be logically the next step.

It was the New Deal so long as the New Deal was popular; so long as the appellation New Deal had some vote-getting ability, of course it was "Mr. New Deal" Chief of the New Deal, speaking. Now it is "Mr. Win the War," but the same man, for aught I know, the same President, the same private citizen. When the time arrives and he comes before this body and says "today I am speaking as Mr. Politics-Is-Out-for-the-Duration" it will be a happy day for the United States Senate, it will be a glorious day for those in the Senate of the United States who have sons fighting in the many corners of the world, and for fathers and mothers everywhere throughout America.

Mr. President, had not the White House spokesman assured us to the contrary we might mistakenly have believed that the pen which wrote the message was the same pen which in 1935 proposed that legislation be adopted "regardless of doubts as to its constitutionality."

Mr. President, those were the days, as you will recall, when the New Deal was a political asset, not a political liability, to the gentlemen across the aisle as well as to its creator in the White House.

We might have thought, Mr. President, had we not been assured that it was only a private citizen who was speaking, that this was the same occu-

pant of the White House who in 1933 struck down, over the protests of Congress, the medical and hospital care and compensation for the wounded veterans of past wars. Mr. President, those were the actions, not merely the words, of President Franklin D. Roosevelt. At that time he was vigorous in his denunciation of those who sought justice for our soldiers of freedom, and mind you so far as I know that was the only economy of a spendthrift administration.

Mr. President, I would that the O. W. I. might recall to the soldiers and sailors now overseas this contrast between 1933 and 1944. I would that the men of our armed forces and their parents might have the opportunity to compare the act of President Roosevelt in 1933 with the action and words of Candidate Roosevelt in 1944.

Mr. President, I am not sure that, had I the power to place those contrasting views in parallel columns before every soldier and sailor, I would do so, for I respect the necessity of maintaining morale in the military forces of this country, even if some others do not.

What can one say when those statements of 1933 and 1944 are read together?

It should not be said of the President of the United States, or even of a candidate for that office:

The voice is Jacob's voice, but the hands are the hands of Esau.

Mr. President, we have assurance from the sponsors of the proposed legislation that they wish to facilitate a free and informed vote among the military and naval personnel, and that they desire, to every extent possible, to have names of candidates upon the ballot. My amendment would help accomplish both these objectives.

I propose to amend the blank Federal ballot, the bobtailed ballot, if you please, so that it will be at least an improvement, at least a step in the right direction, toward getting an intelligent ballot before the soldiers and sailors of this Nation.

Mr. President, I propose that the names of the Presidential and Vice Presidential candidates shall be listed upon the ticket.

But, Mr. President, there will be some who will say this is impossible, because of the time it takes to get ballots overseas and back to the precincts. There will be delays. But who is causing the delays which would prevent the early nomination of candidates, thereby compelling our boys to vote for a President whose name they do not know?

Mr. President, if the names of the candidates for President and Vice President do not appear upon the ballots, the blame will lie at the door of the White House, and the candidate for a fourth term who resides there.

The Republican Party will nominate their candidates for President and Vice President the last of June. We have taken the step that would implement my amendment. And where stands the New Deal? Let me tell the Senate. The

New Deal gives lip service to its desire to help the soldiers vote and to vote upon specific candidates. But, in actual fact, the New Deal administration is postponing its nominating convention, while Republicans nationally and in the States are advancing their dates.

Last week there was left in Chairman Hannegan's hands, at least publicly, the right to name the time of the New Deal's national nominating convention. Now let the candidate wave his wand and name the date upon which the crown will again be thrust upon his reluctant brow.

Mr. President, it is a very simple thing. It stands to reason that we want the most intelligent voting we can have. The Senator from Illinois [Mr. LUCAS] and the Senator from Rhode Island [Mr. GREEN], the sponsors of the bill, say they want to facilitate the voting, and that they want a soldier to have the best possible ballot to vote on. Even they would have to admit that a soldier can vote more intelligently if he has the names of the candidates before him. All he would have under the provision of the bill today would be this bobtailed Federal ballot, a blank ballot, nearly a blank piece of paper.

The soldier over somewhere in the jungles of New Guinea is to vote for President. He has not heard a great deal about the election. He has been fighting the Japs. But he is told some day by his colonel or his captain, "This is the day you vote." So he goes down and gets a blank ballot and votes. He can remember that ever since he was a child in knee breeches the President of the United States has been Franklin Roosevelt. He is the only President he remembers. The soldier has been out of the country for a year or two, or perhaps nearly 3 years, and his thoughts go back to his home, and he thinks of Roosevelt, who was President when he left and ever since he could remember in fact since he was a boy. Perhaps the Republicans, perhaps some of the other political parties, may have nominated candidates, but he has had other things to do in the meantime. He has been overseas fighting to save freedom, fighting for democracy, fighting so that this country may be continued as a beacon light of freedom for the world. Therefore it is going to be a little more convenient for him, he is going to be able to cast a little more intelligent vote, he is going to be in a little sounder position to make his choice of the names on the ballot. The Democratic candidate for President of the United States would be Franklin D. Roosevelt, the candidate for Vice President of the United States, we will say, might be ALBEN W. BARKLEY. [Laughter.]

Then we come down to the Republican candidates, and we will say—

Mr. BARKLEY. Permit me to nominate Senator BRIDGES. [Laughter.]

Mr. BRIDGES. I should be very glad to accept the nomination, but I would not care to run on the Senator's ticket.

Mr. BARKLEY. The Senator would not be allowed to. [Laughter.]

Mr. BRIDGES. In another place on the ballot would be the name of a candidate for President nominated by the Re-

publican Party, and of their Vice Presidential candidate. We do not know who our nominee is to be. I cannot give the Senator the names of our nominees. In mentioning the distinguished majority leader's name, I was just trying to get a well-balanced ticket for the members of the other party.

Mr. BARKLEY. I appreciate the fact that the Senator knows where to get a well-balanced ticket, namely, in the Democratic Party. [Laughter.]

Mr. BRIDGES. I may say it would be well balanced for the Senator's party; I do not think we could take either candidate I have named with any degree of justice to our conscience. Anyway, we would have on the ballot the names of the Republican candidates for President and Vice President, and of the Democratic candidates. The boy over in New Guinea would have an opportunity at least to make a choice as to whom he wanted to vote for as the head of the ticket. He would have before him the names of the head of the ticket of both great political parties. In my opinion that would not be a solution of the problem, but it would be a step toward getting a more intelligent ballot.

Mr. LUCAS rose.

Mr. BRIDGES. Does the Senator wish to ask a question?

Mr. LUCAS. No; I am just listening.

Mr. BRIDGES. I am delighted that the Senator is listening.

Mr. LUCAS. I always like to listen to my friend the Senator from New Hampshire. He always expresses himself well, and really makes a contribution.

Mr. BRIDGES. I am wondering whether the Senator from Illinois would make a contribution at this time by saying he would accept the amendment.

Mr. LUCAS. After the Senator finishes I shall have something to say; but I do not care to interrupt him now.

Mr. BRIDGES. I should really like to have the Senator make a contribution, and say whether he will accept the amendment. Perhaps he might save me from proceeding with my speech.

Mr. BARKLEY. Mr. President, it is against the rules of the Senate to interrupt a Senator who is speaking except to ask a question. [Laughter.]

Mr. BRIDGES. I thank the Senator greatly for that information.

Mr. CHANDLER. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the junior Senator from Kentucky?

Mr. BRIDGES. Certainly; for a question.

Mr. CHANDLER. I wish to get one thing clear. Does the Senator think that if the ballot went to the servicemen with no names on it, the chances are Roosevelt would have an advantage?

Mr. BRIDGES. I certainly think so.

Mr. BARKLEY. Will the Senator yield for a question?

Mr. BRIDGES. Certainly; for a question only.

Mr. BARKLEY. If Roosevelt would have an advantage with the soldiers if his name were not on the ticket, would he not have a greater advantage if his name were on the ticket?

Mr. BRIDGES. I certainly do not think so.

Mr. CLARK of Missouri. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. CLARK of Missouri. I do not wish to prolong the interrogation of the Senator, but how the soldiers and sailors would vote seems to me to be entirely beside the question. Does not the Senator think they have an absolute right to vote, if the machinery can be set up to permit them to vote?

Mr. BRIDGES. I certainly do.

Mr. CLARK of Missouri. I know that when I was in the Army in France I was outraged because I was not permitted to vote. I know that when we returned home a great many soldiers were opposed to certain measures which had been passed during our absence, as absolutely unfair, and I refer to changes made in our fundamental laws, without our having a chance to vote on them. It seems to me that how the soldiers and sailors will vote is absolutely immaterial. The question is as to a matter of absolute right, as to whether they have a right to vote or not.

Mr. MOORE. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. Certainly.

Mr. MOORE. I should like to ask the Senator whether he thinks that under the machinery now set up, and contemplated in the pending bill, the soldier will feel that he has the privilege of a secret ballot?

Mr. BRIDGES. I do not see how he could feel that he had the privilege of what we call an absolutely secret ballot such as he would have if he were at home voting in his own polling precinct. Then he would mark his own ballot in a private polling booth, close it and place it with his own hands in the ballot box.

Mr. LUCAS. Will the Senator elaborate on that statement because it is a very important question, and I do not believe the Senator wants to say what he has just said. I do not believe that the Senator wants to say that the Army and Navy officers overseas, to whom we are entrusting the lives of our soldiers and sailors would do anything other than what is fair and equitable and just insofar as the servicemen casting their ballots is concerned. I do not think the Senator would attribute to the officers overseas or in this country intimidation or coercion or persuasion in connection with voting the ballots. I presume there are probably more officers who are Republicans than Democrats. I do not know as to that, and I do not care; but I hope the Senator will be fair as to that one question, because it is a very serious one. The question of secrecy goes to the very heart of suffrage, and I honestly believe from what I know of absentee ballots, that the ballot provided in the pending bill comes as near being a secret ballot as any absentee ballot that was ever voted.

Mr. BRIDGES. Will the Senator explain for the benefit of the Senate the processes that have to be gone through in connection with the proposed ballot? The Senator is the coauthor of the bill.

Mr. LUCAS. The Senator from New Hampshire is a member of the Committee on Privileges and Elections.

Mr. BRIDGES. The Senator as coauthor of the bill should grant the courtesy to the Senate of making the explanation.

Mr. LUCAS. I do not care to carry on the debate with the Senator, but that is apparently what he wants me to do. The Senator is a member of the Committee on Privileges and Elections, and I am not. He has studied the bill and he knows its provisions. He knows that under the provisions of the pending bill the soldier, sailor, or marine has the right to vote the proposed ballot in absolute secrecy. After it is executed he then seals it, and no one is around him when he does it. He seals the ballot, places it in an envelope, and on the outer side he makes the oath with respect to qualifications. That envelope is placed in an outer envelope. On the outer envelope is the name and address of the soldier. That is all there is to it. Insofar as I am personally concerned, from what I know about election judges and officials, I will take a chance on the officers and the non-commissioned officers who are carrying on this war with respect to giving the soldier voter a square deal. I will take a chance on those men from the standpoint of the question of intimidation, coercion, and persuasion, as readily as I will on election officials at home, from what I know about elections.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MILLIKIN. I should like to ask the distinguished senior Senator from Illinois a question, if I may. Would he be good enough to point to the exact place in his bill that prohibits military censorship of ballots?

Mr. LUCAS. I do not know that I can point to that, but I will make a note of it and if I find it I will explain to the Senator later. If it is not there I certainly want it to be there.

Mr. MILLIKIN. I have not been able to find it. I have found a general provision prohibiting the opening of ballots except by election officials.

Mr. LUCAS. I will say to my distinguished friend that if it is not in the bill it should be there. It must be there. I shall vote for any kind of amendment which prohibits any kind of censorship of the ballots. I am just as interested as any other Member of the Senate in not violating the heart of suffrage, which is the secrecy of the ballot.

Mr. MILLIKIN. I respectfully suggest that the Senator from Illinois will not find a specific prohibition against military censorship.

Mr. LUCAS. If it is not there we will put it there.

I thank the Senator for calling this to my attention.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. BUSHFIELD. We all want the servicemen to vote. We want them to vote in the easiest possible way, but we want them to have a chance at a real ballot, not a shirt-tail thing that nobody

understands or nobody could fill out intelligently.

Mr. President for 50 years we have been developing our ballot system in the United States of America. Every State in the country has surrounded its ballots with various regulations and rules so that the voter has an opportunity to vote intelligently upon the ballot for the candidates representing the various parties. Instead of that it is proposed that we hand to a boy who has been away from the country for 2 or 3 years almost, a blank piece of paper and say to him, "Write in your candidate for President. Write in your party if you want to." There are many of these boys who do not know to which party they belong. There are many who do not know the name of any candidate for President but Roosevelt. And I say that in absolute common fairness to the men who are away from their homes, out in the field, they are entitled to have a printed ballot containing all the names of the candidates.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. CLARK of Missouri. I do not desire to interrupt the Senator's argument. I am not going to discuss the mechanics of the measure at this time, because I intend to do that in my own time. But it seems to me that the suggestion which is frequently thrown out that the general would control the colonels, and the colonels would control the captains, and the captains would control the lieutenants, and the lieutenants would control the sergeants, and the sergeants would control the men in their exercise of the right of suffrage is really a slander on the intelligence and independence of the boys and girls who are wearing our uniform overseas. I do not think there is a sergeant, tough as he might be, who could control his section. I do not think there is a lieutenant who could control his platoon. I do not believe there is a captain who could control his company. I am very certain that none of us knows accurately what are the politics of such men as General Marshall and General Eisenhower, and some of my Republican friends on the other side of the aisle are really simply presuming on the fact that General MacArthur happened to be of Wisconsin stock to assume what his politics are. I am certain that none of those eminent soldiers would have any thought in his mind or heart to undertake to control a ballot, and I am very certain that if they were to try to, that the character and independence of the men and women who wear our uniform in the Army and Navy around the world would make such an effort a boomerang. It seems to me to be a reflection on their independence and courage and patriotism for Senators to stand on this floor and say the men in the service would be controlled by their sergeants or the sergeants would be controlled by the lieutenants, or the captains would be controlled by the colonels. It is an absolute impossibility, in view of the nature and character of the men and women we have representing us around the world.

Mr. WHERRY. Mr. President, will the Senator yield for the purpose of asking the Senator from Illinois a question?

Mr. BRIDGES. I yield.

Mr. WHERRY. The question relates to the secrecy of the ballot, and I am again rising in all sincerity to obtain further light. In view of the statement of the Senator from Missouri relative to the authority the officers in the Army might have to administer the oath, I should like to have the Senator turn to subsection (b) on page 33. That subsection, it seems to me, might result in a violation of the principle about which we are talking. This subsection comes after other provisions dealing with the Army. I will read it:

Any commissioned, noncommissioned, or petty officer not below the rank of sergeant or its equivalent in the armed forces of the United States—

Now this is the point about which I want to ask:

and any member of the merchant marine of the United States designated for this purpose by the Administrator of the War Shipping Administration is authorized to administer and attest such oaths as are required by this title.

In the first three lines of the subparagraph is the authorization for any commissioned, noncommissioned, or petty officer not below the rank of sergeant, to administer the oath, but in the next clause we find that "any member of the merchant marine of the United States," regardless of who he may be, who is designated by the War Shipping Board, may administer the oath.

It seems to me that that is a serious encroachment on the secrecy of the ballot in this country, for two reasons: One is that many of those to whom the oaths would be administered would be within the United States anyway, and they ought to comply with the election laws of the United States. The other is that anyone, regardless of qualifications, who may be appointed, from the War Shipping Administrator down, may administer the oath. A man who is against the United States Government and who is employed anywhere under the War Shipping Administration might be given the opportunity to administer the oath, and could question the qualifications of a voter. I want to ask the Senator who introduced the bill—and I ask the question in good faith—whether he does not feel that that clause would to a great extent militate against the secrecy of the ballot? As I understand the language, it would give to any member of the merchant marine the right to administer the oath. When citizens of the United States are given an opportunity to obtain a State absentee ballot, I think it is going a long way to give a member of the merchant marine the right to administer the oath.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BRIDGES. I will yield, but I understood that the Senator from Nebraska wished to ask the Senator from Illinois a question.

Mr. WHERRY. With respect to the matter of secrecy of the ballot, I am asking

why that clause would not have the effect in large measure of destroying the secrecy of the ballot, especially for those who could vote in the United States. I am asking the question in all sincerity.

Mr. LUCAS. Mr. President, I appreciate the interest of the junior Senator from Nebraska. I say to him with all the sincerity I possess that all the way through this debate he has been seeking information and light with respect to the bill, instead of endeavoring to spread a lot of heat upon this important measure. He has been looking for light on the bill, and I appreciate his attitude.

Mr. WHERRY. I thank the Senator. I refer to section 6 (b), on page 33, and should like to have the Senator's answer regarding it.

Mr. LUCAS. As I understand the matter, the members of the merchant marine are civilian employees. They do not have rank comparable to the rank of officers of the Army or the Navy. There was a question in the minds of the members of the committee which drew the provision as to whom the authority should be delegated to take the oath in the case of the qualification of the voter who was in the merchant marine and who wanted to vote a uniform Federal ballot.

Admiral Land is the head of the War Shipping Administration.

Mr. WHERRY. Yes; and he is a very able man, and in the Senate I voted to confirm his nomination.

Mr. LUCAS. He is the Administrator of the War Shipping Administration. The more we discussed the question, the more convinced we became that Admiral Land should have the authority to designate the person who would be responsible for administering the oath. For instance, I presume that on a merchant ship of some kind the captain of the ship would be designated as the person to administer the oath. I do not know. I will say to the Senator that I am not very fussy about the provision. If there is anything the Senator desires to add by way of an amendment, I shall be very happy to accept it.

There are approximately 120,000 men in the merchant marine at the present time.

Mr. WHERRY. I also ask the question in the light of section 4 (b) on page 28:

(b) As used in this act—

1. The term "members of the merchant marine of the United States" means persons employed as officers or members of crews of vessels documented under the laws of the United States—

Here is the clause I desire to point out to the Senator—

and persons enrolled for such employment with the War Shipping Administration.

I do not know anything about the heavy registration or the great number of elections in the State of Illinois; but it seems to me there could be a terrific influx into some centers, and that persons could be simply enrolled. Does the Senator see what I mean? I do not say it is the intention of those who introduced the bill to have that occur, but I simply point out some phases of the bill

with respect to which I should like to obtain light.

Mr. LUCAS. Mr. President, the statement of the Senator from Nebraska does not apply to the men working on the inland waterways or on the Great Lakes, but does apply to those who are outside the continental limits of the United States. If the Senator would say he would like to have the captain of a merchant ship or some other officer designated to administer the oath, I should be glad to accept such an amendment.

Mr. WHERRY. I do not want to offer an amendment which would delay the passage of the bill. I simply have pointed out to the Senator that it seems to me, in the light of section 4 (b), on page 28, under the terms of which any person can be enrolled, that all that it would be necessary to do would be to take in some such person and put his name on an application to become a member of the merchant marine within the United States.

Then, under the terms of section 6 (b), on page 33, it is not permissible to allow anyone below the rank of noncommissioned officer—below the rank of sergeant, for instance—to administer the oath in the Army; but the bill would allow anyone in the merchant marine, regardless of who he might be, to administer the oath. It seems to me that is a weakness in the bill, and would tend to destroy the secrecy of the ballot; because all such persons could vote in their own States, anyway.

Does the Senator see what I mean?

Mr. LUCAS. Yes, Mr. President. Let me say to the Senator that it all depends on whether the Senator has faith in the head of the War Shipping Administration, Admiral Land.

Mr. WHERRY. I have an abundance of faith in Admiral Land; I voted to confirm his appointment. But certainly his authority would be delegated to a number of persons, on recommendation; and the Senator knows what that might mean.

Mr. LUCAS. It would be in the hands of Admiral Land. We were of the opinion that no one in the Government is more respected than Admiral Land. We thought he would be the proper one to designate. If the Senator is desirous of designating some type of officer of the merchant marine who should administer the oaths—some officer, let us say, corresponding to a petty officer in the Navy or to a sergeant in the Army—I should be glad to accept such an amendment; because the last thing in the world I desire to do is to place in the bill anything which even by implication would violate the secrecy of the ballot. I appreciate what the Senator from Nebraska has said.

Mr. CLARK of Missouri. Mr. President, I should like to have the Senator yield to me so that I may make an observation or two relative to the remarks of the Senator from Nebraska.

Mr. BRIDGES. I yield.

Mr. CLARK of Missouri. Mr. President, I do not entirely agree with what the Senator from Illinois, the author of the bill, has said about this matter. Of

course, I am not a member of the Committee on Privileges and Elections—

Mr. WHERRY. Neither am I.

Mr. CLARK of Missouri. But I think the entire justification for the provision of the bill as it stands now is the difference between the merchant marine engaged in the service of the United States and the Army, Navy, and Coast Guard of the United States. There is a very definite difference between responsible officers of the merchant marine and officers of the Army and the Navy. Every officer of the Army has a definite status. When one refers to a lieutenant, or a captain, or a major, or a colonel, or a sergeant in the Army, one knows precisely what is meant, and knows that those officers are engaged in the services of the United States. When one refers to a chief petty officer or an ensign or a lieutenant or a captain or an admiral in the Navy, one knows exactly what is meant, and knows that those persons are officers of the United States engaged in the services of the United States.

The same thing cannot be said with entire accuracy concerning the merchant marine. Some of the members of the merchant marine of the United States, some of the sailors on board our ships in the United States merchant marine, are engaged in the service of the United States and some of them are not. There is no uniformity as between officers of the merchant marine. It is impossible to establish, in regard to those officers, the same standards that are established with regard to the officers of the Army and the Navy. Therefore, a difference is made in this measure.

The Senator suggested that some of the officers of the War Shipping Administration might be Communists.

Mr. WHERRY. No, Mr. President; I did not say that any of them would be Communists. Will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. WHERRY. I do not want to have on record a statement that I said anything which might be construed as meaning that officers of the War Shipping Administration might be Communists. I did not say that.

Mr. CLARK of Missouri. Mr. President, I understood the Senator to say that under the provisions of the pending bill enemies of the United States might be permitted to vote.

Mr. WHERRY. I said that under the provisions of the bill whereby any member of the merchant marine would be given authority to administer an oath, such a provision would tend to destroy the secrecy of the ballot at home. Does the Senator see what I mean?

Mr. CLARK of Missouri. Mr. President, all I wish to say about that remark of the Senator is that it seems to me—and I hold no brief whatever for some of the maritime unions or for some of the members of the seamen's unions who have communistic tendencies—that a man who goes down to the sea in ships in these perilous times, and goes through the submarine zone in a tanker, for instance, and runs the risk of being torpedoed and of having to swim through fiery, flaming seas is not likely to be seriously inclined to work against the wel-

fare of the United States, no matter what his political affiliation might be.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. WHERRY. I do not want my statement to be construed as a charge that anyone whom Admiral Land might appoint might have communistic tendencies. I did not say that on the floor of the Senate. I asked the senior Senator from Illinois if he did not feel that in the light of subsection (b) of section 4, on page 28, and also subsection (b) of section 6, on page 33, and in view of the fact that any member of the merchant marine might administer the oath—and they are the ones who would determine the qualifications—the secrecy of the ballot would be interfered with. The language on page 33, line 15, is as follows:

All such oaths shall constitute prima facie evidence that the voter is qualified to vote.

All that power is in the hands of the man who administers the oath. If I correctly understand the English language, that is going a long way toward breaking down the secrecy which we have placed around the State ballot system. Under the State system, unless a vote is challenged, it is considered in order when it is finally cast.

I am asking if there is not a weakness in the provisions of the bill and why a distinction is made between officers of the merchant marine and officers of the Army or Navy. In the Army only an officer with the rank of sergeant or higher would be permitted to administer the oath.

Mr. LUCAS. Let me say to the Senator from Nebraska that from the standpoint of handling the Federal ballots there is absolutely no difference between the officer in the merchant marine who administers the oath and the officer in the Army or Navy who administers the oath. In both instances the voting is done in secret. There can be no question about that.

Mr. WHERRY. I understand that.

Mr. LUCAS. After the ballot is voted in secret the voter takes the oath. The oath is printed on the outside of the envelope in which the ballot is enclosed, and the oath is administered after the ballot is sealed. The only difference is in the rank of individuals who are authorized to administer the oath. We say that an officer with the rank of sergeant or higher shall have authority to administer the oath in the Army, or that a petty officer, or an officer of higher rank, may administer the oath in the Navy. As the Senator from Missouri has stated, in the War Shipping Administration there are many different categories. The men are all civilians. The question arose, Whom should we designate? In view of the fact that Admiral Land is in charge, we thought that we would give him the authority to designate the persons to administer the oath; but that does not violate secrecy in any way. As the Senator stated, the bill would give Admiral Land authority to designate anyone in the merchant marine whom he may see fit to designate to administer the oath.

Mr. WHERRY. It goes further than that.

Mr. LUCAS. I do not think it does.

Mr. WHERRY. He determines the qualifications of the voter.

Mr. LUCAS. Oh, no.

Mr. WHERRY. Then what is the Senator's explanation of lines 15, 16, and 17 on page 33?

Mr. LUCAS. That simply means that all such oaths, including the oath which the man in the merchant marine takes, shall constitute prima facie evidence that the voter is qualified to vote, unless the statements contained in such oath indicate to the contrary.

That means that when the vote finally gets back to the election officials, the oath will be prima facie proof that the man is qualified to vote, unless, when the vote gets back to the precinct where the member of the merchant marine resides, the vote is challenged, and the challenge is not overcome by prima facie proof, which I discussed yesterday. That is exactly what it means. In other words, no one in the merchant marine would have any authority to determine the validity of a ballot. If the Senator thinks that language is not clear enough, I certainly want to clarify it by amendment.

Mr. WHERRY. It does not seem clear to me, but I thank the Senator for the explanation.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. DANAHER. I should like to ask the Senator from Illinois and the Senator from Kentucky a question, if I may, which bears markedly on the point to which we have hitherto adverted.

On page 38, in section 12, there is the provision that—

The Commission, upon receiving any ballot cast under this title, shall promptly transmit it to the secretary of state of the State of the voter's residence who shall at an appropriate time transmit it to the appropriate election officials of the district, precinct, county, or other voting unit of the voter's residence. No person other than such appropriate election officials shall open any official outer or inner envelope purporting to contain a ballot cast under this title.

My question is this: Assume a case in the State of Kentucky, in which State a member of the armed forces has residence. To his particular voting precinct there comes back a sealed envelope, duly authenticated in every respect. Contained in that envelope is an official war ballot. What does the election official in the State of Kentucky do with that ballot when he gets it?

Mr. BARKLEY. I presume he would do what the precinct election officer in any State would do. He would open it, find the ballot, note the name of the voter, and determine the eligibility of the voter to vote. If he found him eligible, then he would count the vote. He might put it in the ballot box with other votes being cast that day. I suppose he would naturally do that; but even if he did not actually deposit the ballot in the box, he would count it along with those that were in the box.

Mr. DANAHER. I understand that under the Kentucky law there is no provision for voting by absentee ballot?

Mr. BARKLEY. There is no provision at this time.

Mr. DANAHER. I feel certain that the Senator from Illinois will concur in the answer which has been given by the Senator from Kentucky.

Is there anywhere in the bill a requirement that the election official in Kentucky—or in any other State which hitherto has made no provision for absentee voting—who actually receives the ballot must deposit the ballot in some ballot box? I find no such provision. If there be one, I should like very much to know where it is. If there be no such provision, it seems to me to be an appropriate comment that lines 11 to 13, inclusive, on page 38, leave the ballot in the hands of some election official who has taken it out of an envelope. There is no requirement imposed on him, either by the bill or under the law of his State, whether it be Kentucky or New Mexico, to do anything with it. I should like to have the Senator's comment if I may have it. If there be any defect, I want to have it corrected, and I know that the Senator from Illinois will agree that it ought to be corrected.

Mr. LUCAS. Mr. President, the Senator has asked a very important question with respect to the State of Kentucky and the State of New Mexico, inasmuch as those two States have constitutional provisions that voters shall vote in person.

Let me say to the Senator from Connecticut that we are discussing a uniform Federal ballot. We are making the election officials of the various precincts our agents or couriers to cast and count the Federal ballots. When we turn to section 14, the last part of that section, relating to the validity of ballots, provides as follows:

Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

It seems to me that if it be true, as I stated, that the local election officials are the couriers or agents of the Federal Government in connection with Federal ballots under section 14 (a), entitled "Validity of Ballots," those ballots will be counted, canvassed, and certified, the same as any other ballots. In my opinion, there is not much question about it. I believe that the election officials in the States will count those ballots so far as Federal officials are concerned.

Mr. DANAHER. Does not the Senator from Illinois, whose answer I very greatly appreciate, agree that we should amend section 12 so as to provide that the person who in fact extracts the ballot from the envelope shall be placed by us under the duty of doing something with it, namely, casting it in the ballot box of the appropriate election precinct?

Let me point out further to the Senator where we have not yet bridged the definition of a duty upon the election official so to cast a ballot, as related to section 14.

What the Senator has said affords no answer whatever. His answer is that if such a ballot, when offered, be challenged, then the determination as to its

validity will be made by the duly constituted election officials; but there is nothing to say what shall be done with the ballot after it has been extracted from the envelope. It seems to me that at that juncture we uncover a defect which should be cured.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. BARKLEY. Inasmuch as the Senator has taken Kentucky as an illustration, I might point out also that under the laws of Kentucky, election officers do not deposit in the ballot box the ballots of those who vote in person. The law requires that the voter himself, after voting in the booth to which he has retired, shall deposit his own ballot in the ballot box. It does not again touch the hands of the election officer. There may be some force to what the Senator has suggested, that if there is any lack of authority or compulsion—

Mr. DANAHER. "Duty" is the word.

Mr. BARKLEY. If there is any lack of definition of duty on the part of the election officer who receives the ballot himself to deposit it in the ballot box in the presence of the voter, that question is worthy of consideration.

Mr. LUCAS. Mr. President, I agree with the Senator from Kentucky and the Senator from Connecticut. I invite attention to lines 11 and 12 on page 38, which read as follows:

No person other than such appropriate election officials shall open any official outer or inner envelope purporting to contain a ballot cast under this title.

I think the Senator is correct, and I will accept an amendment to meet the suggestion.

Mr. DANAHER. I have not worked out any amendment. I wanted to know what the Senator had thought about the matter. I feel that he has made a very valuable contribution to what we all are trying to accomplish.

Mr. LUCAS. I think the Senator from Connecticut is correct in what he has suggested. I believe it probably could be accomplished under section 12, which provides that the appropriate election officials shall merely open any ballot received under this bill, if it shall become law. However, I should not object to providing that those same officials shall count and canvass the ballot after it is opened and promptly deposit it in the ballot box where it belongs.

Mr. DANAHER. It may seem appropriate to the Senator from Illinois that the interpolation appear in section 14, where line 8 reads "Such determination shall be made by the duly constituted election officials," and insert the words "upon determination of validity the ballots shall be cast in the manner provided in the State," or language to that effect. Then the language continues in line 11: "Votes cast under the provisions of this title shall be canvassed, counted, and certified," and so forth.

Mr. LUCAS. I think the latter part of section 14 would coincide with what the Senator has suggested in the way of an amendment to section 12.

Mr. DANAHER. I thank the Senator.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. FERGUSON. Today in the debate question was raised with regard to compliance with section 3 of the act of 1942, Public No. 712. It was stated that the Army has a great number of the post cards in question in the United States. I thought it was material to the issue then before the Senate to ascertain definitely what had been done to comply with this section. I have a memorandum which I wish to read into the RECORD so that all Senators may know what has been done by the Army and what has been done by the Navy and the Marine Corps in relation to this particular section. Section 3 reads as follows:

In each year in which an election for Senators and Representatives in Congress is to be held, such post cards (i. e., the post cards earlier prescribed in sec. 3) shall be made available on February 1, or as soon thereafter as practicable, and from time to time thereafter, prior to the holding of the election.

The section which I have just read would indicate that the post cards were to be available on February 1 and remain available so that soldiers, sailors, and marines would be able to obtain them at all times from that day on, because the language is:

And from time to time thereafter.

The Army has done the following:

Nineteen forty-four is a "year in which an election for Senators and Representatives in Congress is to be held." Except for Maine (where the congressional election is in September), elections of Senators and Representatives in 1944 will take place in November. This memorandum explains the action taken by the Army in 1944 to comply with the above-quoted statutory provision.

That is the section I quoted.

The memorandum continues:

During 1943 the Army printed and spotted in depots throughout the world a large supply of the post-card applications referred to in the statute. Apparently some 8,500,000 post cards are at present available for use (about 10 percent overseas). The present policy of the War Department is to inform soldiers as to use of the post cards at such times as should give to the soldiers the maximum opportunity to obtain and vote absentee ballots. In line with this policy, 2 War Department circulars have been published and others will hereafter be published at suitable times.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MILLIKIN. Will the Senator from Michigan repeat the last line concerning the policy of the War Department?

Mr. FERGUSON. It reads as follows:

In line with this policy, two War Department circulars have been published and others will hereafter be published at suitable times.

Mr. MILLIKIN. Will the Senator please read the preceding sentence?

Mr. FERGUSON. It reads as follows:

The present policy of the War Department is to inform soldiers as to use of the post cards at such times as should give to the soldiers the maximum opportunity to obtain and vote absentee ballots.

Mr. MILLIKIN. Does not the Senator recognize some distinction there between that policy and the policy of Congress to make a post card available on February 1?

Mr. FERGUSON. I should say there is a distinction between the language used here and the language of the statute. However, I am merely stating what the War Department has done and what its policy is at the present time.

I continue reading the memorandum pertaining to the policy of the War Department.

In circular No. 304, War Department, 1943 (November 22), the use of such post cards by soldiers having voting residence in Louisiana, in connection with the Louisiana State primaries to be held on January 18 and February 29, 1944, was brought to the attention of commanding officers. In circular No. 33, War Department, 1944 (January 26), the use of such post cards by soldiers having voting residences in Illinois, Pennsylvania, Nebraska, and Louisiana, in connection with the April primaries in Illinois, Pennsylvania, and Nebraska, and the April State election in Louisiana, was brought to the attention of commanding officers. From time to time, hereafter, other circulars will advise soldiers of the availability for use of such post cards in relation to specific elections in other States held later in the year.

It is obvious that to distribute post cards wholesale to soldiers in February, many months before ballots can be issued for the general election, or for most primaries, would not implement the War Department's policy to assist and encourage the soldiers to vote.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. FERGUSON. If the Senator from New Hampshire will permit.

Mr. MILLIKIN. I do not understand that there is any policy in existing law which requires the War Department to encourage soldiers to vote. It seems to me a soldier has the right to vote or not to vote as he sees fit. It seems to me this War Department policy of encouraging the soldier to vote may have a certain probative relationship to the charges which have been made that the serviceman will be regimented to vote. If the War Department, the business of which is not to pursue politics or political matters, is now in the business of encouraging soldiers to vote, it seems to me it is definitely out of the realm of its proper functions, to wit, the management of our war effort.

Mr. FERGUSON. Will the Senator from New Hampshire further yield to me?

Mr. BRIDGES. I yield.

Mr. FERGUSON. I am but quoting the language of the War Department. If this particular language were my own, I should be very happy to debate the subject with the Senator, and I am inclined to think the Senator is correct. There is nothing in the statute, as I read it, which provides that these cards shall be at certain places, and available, at all times.

Mr. MILLIKIN. They are to be made available, which is far different from encouragement for their use. I merely suggest that a soldier has the right to vote or not to vote, without the encouragement either way of the War Department.

Mr. FERGUSON. Again proceeding to quote the War Department:

Either the soldier, not being then interested in the long-distant election, will not use the post card, or, if he does use it, he will naturally fill in his then address, thereby risking that intervening changes of duty station will prevent a ballot months later sent to such address ever reaching him. The policy of the War Department is to advise soldiers to forward applications so as to arrive shortly before the earliest date on which the respective States will issue absentee ballots. Any other use of the post card would lead to hundreds of thousands of ballots being misaddressed and never forwarded, or to the necessity of filing subsequent applications to the changed duty stations. Every effort must be made to minimize unnecessary administrative and mailing problems in connection with soldiers voting.

Further steps by the Army under section 3 of the Ramsay Act—

Which is Public Act 712, the act of 1942—

of course, depend on the outcome of pending congressional action. At the present moment, the leading measures would all repeal the act, insofar as concerns its post card provision above quoted.

Then are cited various measures, as follows:

S. 1285 (the Eastland bill) repeals section 3.

S. 1612 (the Green-Lucas compromise) repeals all sections except 1 and 2.

H. R. 3982 (the Worley compromise) repeals all sections except 1 and 2.

H. R. 4017 (the Andrews bill) repeals the act.

Mr. REVERCOMB. Mr. President, will the Senator permit a question?

Mr. FERGUSON. Certainly.

Mr. REVERCOMB. The language the Senator is reading, about pending measures repealing certain parts of the existing act, is very interesting, but the fact remains that the existing act is the law today, which requires action by the War and Navy Departments.

Mr. FERGUSON. Mr. President, so far as the Navy is concerned, in June 1943 the Navy placed on all ships and at all stations post cards amounting to 115 percent of the complement of the ships and the stations. The reason for 115 percent being placed there was that they considered that 115 percent would be sufficient when we consider that about 30 percent of the men then in the service are under 21 years of age.

On January 18, 1944, the Secretary of the Navy dispatched to all ships and all stations by radiogram, or in the United States by mailgram, notice that these cards could be obtained, and that they were to have on hand 115 percent of their complement, that if they did not have that number, they could have them printed in the vicinity in which they were located, or they could, by request, obtain them from Washington.

The same action as applied to the Navy has taken place in regard to the marines and the Coast Guard.

I deemed it essential to place in the RECORD today information as to what had been done by both the Secretary of War and the Secretary of the Navy so far as Public Law 712 was concerned, particularly the provision in relation to

the post cards. It may indicate to the Senate what might be done in the future, so far as any other act might be concerned, in relation to the distribution of applications for ballots, or the mailing in of the ballots.

Mr. CHANDLER. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. CHANDLER. The Senator from Connecticut has raised a very important question, one in which the people of Kentucky will be particularly interested, because we have an unusual situation in our State, where ballots are not counted by the election officials in the precincts. They are not touched by the precinct officers after the clerk signs the ballot and hands it to the voter. Later the ballots are taken to the courthouse, and then they are counted. I am quite certain that the Senator from Connecticut has a suggestion which is worthy of further consideration, and something should be done to protect the validity of the ballots, which, in my opinion, could not be opened, in the case of the election officials in Kentucky, at the precincts where the votes would ordinarily be cast. Some method must be provided to protect the envelope, when it is sent from the commission to the secretary of state, and then to the local precinct, because there it will be determined by the local precinct officials whether a voter is or is not a registered voter of the precinct, and is entitled to cast a vote. Under no circumstances, under State law or under the proposed law, would they be authorized to touch them. The ballot will not be counted there, it will be counted later, when all the ballots are in, and all the boxes have been taken to the courthouse. Then the ballots will be counted.

I think the Senator from Connecticut has made a very good suggestion, and further consideration should be given the matter, in order to see to it that the ballot is protected, that its secrecy is maintained, and that it is actually counted for the candidate for whom the soldier wants to have it counted.

Mr. HATCH. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. HATCH. My State was mentioned in connection with the matter just referred to. I wish to say that I have not been too greatly disturbed. I have felt, and still feel, that under the terms of the bill votes of the soldiers should be deposited and should be counted and canvassed by the local election officials in my State. I know every one of them would be glad to cooperate in every possible way. But I think the suggestion which has been made is good, and if there is any doubt at all it should be resolved, and I urge that that be done. I am sure the Senator from Illinois and the Senator from Rhode Island will get together and take care of the matter.

Mr. BYRD. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. BYRD. In order to obtain the latest information as to what the States have been doing with respect to facilitating the voting of soldiers in the armed forces, I sent a telegram to each of the

48 Governors. I ask unanimous consent to insert in the body of the RECORD, as a part of my remarks, the replies received from 36 Governors.

There being no objection, the replies were ordered to be printed in the RECORD, as follows:

BOISE, IDAHO, February 1, 1944.

HON. HARRY F. BYRD,
United States Senate:

Idaho preparing to amend laws to facilitate soldier voting. All needed is assurance on part of Federal Government that it will assume responsibility of distribution. Does Congress propose to amend section 1 article 2 as amended by amendment No. 12 to the Federal Constitution? Please wire.

C. A. BOTTOLFSEN,
Governor of Idaho.

RICHMOND, VA, February 1, 1944.

HON. HARRY F. BYRD,
Senate Office Building:

I have just sent to the general assembly a message asking that legislation be enacted which will permit Virginians in our armed forces to vote in both primaries and general elections for Federal representatives. The privilege is to be granted without registration or payment of poll taxes. The ballot to be furnished upon application by the person wishing to vote or by relative or friend of the person desiring ballot.

COLGATE W. DARDEN, Jr.

HARTFORD, CONN., February 1, 1944.

HON. HARRY F. BYRD,
United States Senate:

Your telegram was not received. Last week the Connecticut General Assembly passed soldiers' vote law making it possible to be made voters although absent from the State to vote a straight, split, or individual candidate ticket with liberal provisions concerning applications for absentee ballots either in person before leaving country, by informal written request or by request of relative or friend directed to registrar of voters. Ballot simplified as to form and reduced as to size and weight. Provision made for using facilities if provided for distribution of absentee ballot forms without application.

RAYMOND E. BALDWIN,
Governor of Connecticut.

HON. HARRY F. BYRD,

BIEMARCK, N. DAK., January 29, 1944.
United States Senate:

No amendments as yet. Special session legislature being considered if Congress fails to take prompt effective action. We are determined voters in service be given greatest possible opportunity to vote.

JOHN MOSES,
Governor.

OLYMPIA, WASH., January 29, 1944.

HON. HARRY F. BYRD,
United States Senate:

State of Washington is preparing now to implement State voting machinery so that our armed forces abroad will have full opportunity to vote, if Federal Government fully cooperates in the handling of the ballots.

ARTHUR B. LANGLIE,
Governor of Washington.

RALEIGH, N. C., January 29, 1944.

Senator HARRY F. BYRD,
Washington, D. C.:

Your telegram received. The North Carolina General Assembly in January 1943 amended our laws so as to give soldiers at

home and abroad full opportunity and facility for voting both in the primary and general election. This applies to all offices, both State and Federal.

J. M. BROUGHTON,
Governor of North Carolina.

CONCORD, N. H., January 29, 1944.

HON. HARRY F. BYRD,
United States Senate:

Have announced shall call special session to advance primary as soon as definite final action is taken by Congress on soldiers' vote legislation. We have absentee voting at the present time. Between primary and election too short for absentee voting of soldiers in foreign service.

ROBERT O. BLOOD,
Governor of New Hampshire.

SANTA FE, N. MEX., January 29, 1944.

HARRY F. BYRD,
United States Senate:

Our absentee ballot law once held unconstitutional by supreme court. We have brought action to have supreme court reconsider decision in light of new developments. Every possible effort is being made to give soldiers the right to vote. If supreme court opinion will permit soldiers to vote legislature will be called to pass necessary legislation.

JOHN J. DEMPSEY.

CHARLESTON, W. VA., January 29, 1944.

HON. HARRY F. BYRD,
United States Senate:

Our legislature at extra session convened especially for the purpose passed a bill which became a law on the 7th of this month which provides all West Virginia members of the armed forces means of voting until after the end of the war.

M. M. NEELY.

JACKSON, MISS., January 29, 1944.

HON. HARRY F. BYRD,
Senate Office Building:

Necessary amendatory legislation facilitating soldiers' voting in process of enactment now.

GOV. THOMAS L. BAILEY.

SALEM, OREG., January 29, 1944.

HARRY F. BYRD,
United States Senate:

Pleased to answer that our election officials advise that Oregon's 1943 legislative act makes full provision providing the necessary latitude so that our State is in position to answer your question in the affirmative.

GOV. EARL SNELL.

SPRINGFIELD, ILL., January 30, 1944.

HON. HARRY F. BYRD,
Senate Office Building,
Washington, D. C.:

In reply to your telegram please be advised that on January 13 I signed a bill passed at a special session of the Illinois State Legislature giving to Illinois men and women in the armed services their full right and opportunity of voting for national, State, and county offices no matter on what battle front they are stationed. If the Federal Government will provide the necessary facilities for transporting the ballots to Illinoisan in the service who desires to exercise his right of franchise need be denied that privilege.

DWIGHT H. GREEN, Governor.

MADISON, WIS., January 30, 1944.

Senator HARRY F. BYRD,
United States Senate:

Wisconsin has enacted into law provisions to advance our primary and facilitate soldiers' voting so that all may be able to vote

in the general election. Forwarding bill via air mail.

WALTER S. GOODLAND, Governor.

PHOENIX, ARIZ., January 29, 1944.

HON. HARRY F. BYRD,
United States Senate:

Rewire special session Arizona Legislature soon to be called to enact soldier voting legislation. Would like to know what action Congress will take in order that we can integrate State law with National.

SIDNEY P. OSBORN,
Governor of Arizona.

HELENA, MONT., January 29, 1944.

HON. HARRY F. BYRD,
United States Senate:

Chapters 99 and 101, Montana Session Laws of 1943 provide adequate State voting machinery so that our armed forces will have opportunity to vote.

SAM C. FORD, Governor.

AUSTIN, TEX., January 31, 1944.

Senator HARRY F. BYRD,
Senate Office Building:

Soldiers can vote in Texas on same terms as any other citizen.

COKE STEVENSON,
Governor of Texas.

TALLAHASSEE, FLA., January 31, 1944.

HON. HARRY F. BYRD,
United States Senate:

Reurlet amendments made by 1941-43 sessions of legislature to facilitate soldiers' voting believed relatively satisfactory; therefore, plan no immediate additional action. Regards.

SPESSARD L. HOLLAND, Governor.

NASHVILLE, TENN., January 29, 1944.

HON. HARRY F. BYRD,
United States Senate:

Retel Tennessee has not amended its laws to facilitate soldiers voting. While the question is receiving very careful study to determine what can be done under our constitution, I do not contemplate calling a special session of the legislature until it is determined what, if any, action will be taken by Congress in order that any legislation in Tennessee may, if possible under our constitution, be in harmony with congressional action.

PRENTICE COOPER, Governor.

DES MOINES, IOWA, January 29, 1944.

HON. HARRY F. BYRD,
Senate Office Building:

In response to your telegram, the Iowa Legislature has just concluded a 3-day special session in which our absent voters law, adequate for absent voting in primaries and general election from any place in the United States, was amended to give members of the armed forces 55 clear days to vote from any part of the world by absent ballot. Provisions were simplified to facilitate application forwarding and voting. A ballot commission was established to coordinate and to meet possible contingencies.

B. B. HICKENLOOPER,
Governor.

PROVIDENCE, R. I., January 29, 1944.

HARRY F. BYRD,
United States Senate:

Re your tel, qualification for voting and voting procedure is fixed in the constitution rather than by statutory law. Yesterday the general assembly authorized me to call a constitutional convention to amend the constitution so that the general assembly would have the power to deal effectively with the

matter of qualifying and simplifying procedure for soldiers voting and to conform with whatever procedure the Federal Government finally adopts.

J. HOWARD McGRATH,
Governor.

DOVER, DEL., January 31, 1944.

Senator HARRY F. BYRD,
Washington, D. C.:

Replying to your telegram, State now has absentee voter law for qualified voters. Certain changes required for oversea voting. Special session of legislature contemplated for necessary amendments to law.

WALTER W. BACON,
Governor of Delaware.

LINCOLN, NEBR., January 31, 1944.

Senator HARRY F. BYRD,
Senate Office Building:

Nebraska will probably hold special session after Congress makes decision. If you will make special mailing facilities available Nebraska will get a full State ballot to every soldier who requests it and will provide ample time for its return. Executive committee Governors Conference will be in session at Hay-Adams Hotel, Washington, on Tuesday, February 1.

DWIGHT GRISWOLD,
Governor of Nebraska.

AUGUSTA, MAINE, January 31, 1944.

HARRY F. BYRD,
United States Senate:

Present Maine law adequate to allow soldier voting if Federal Government can handle round-trip mailing of ballots in 45 days. More complete statement follows by air mail.

SUMNER SEWALL.

DENVER, COLO., January 31, 1944.

HON. HARRY F. BYRD,
Senate Office Building:

Colorado Legislature now in special session enacting legislation permitting overseas soldiers vote. Expect Congress recognize this constitutional right and provide for carrying it into effect.

JOHN C. VIVIAN,
Governor of Colorado.

BOSTON, MASS., January 31, 1944.

HON. HARRY F. BYRD,
Senate Office Building:

Reurlet soldiers voting. Massachusetts has not amended its laws, but will do so promptly when Congress has completed legislation.

LEVERETT SALTONSTALL,
Governor.

TOPEKA, KANS., January 31, 1944.

HON. HARRY F. BYRD,
United States Senate:

Re your telegram please be advised our 1943 session of legislature made provision for soldier voting providing the Federal Government will cooperate in transportation of ballots to and from the armed forces. Regards.

Gov. ANDREW F. SCHOEPFEL.

MONTPELIER, VT., January 31, 1944.

Senator HARRY F. BYRD,
United States Senate:

Our State stands ready to amend existing absentee voting laws to provide adequate times to allow soldier voting and will do so. Full Federal cooperation in transmission of ballots, their handling, and return will be essential, however.

WILLIAM H. WILLS,
Governor of Vermont.

COLUMBIA, S. C., January 31, 1944.

Senator HARRY F. BYRD:
Legislation introduced concerning soldier vote in primaries; main importance in our

State is primary. Our people show very little interest in general election. Letter follows.

Sincerely,
OLIN D. JOHNSTON,
Governor.

MONTGOMERY, ALA., January 31, 1944.

HON. HARRY F. BYRD,
United States Senate,
Washington, D. C.:

Retel no change in our law passed several years. No immediate plans for change. We have absentee voting law which accommodates all soldiers in continental United States.

CHAUNCY SPARKS,
Governor.

ATLANTA, GA., January 31, 1944.

Senator HARRY F. BYRD,
Senate Office Building:

Georgia was the first State in the Union to liberalize its voting laws so as to authorize soldier voting. Federal voting law would have little effect in this State, because it would not control primary elections and could not enable soldiers to vote for State and local officers. Georgia's voting laws allow period of 90 days to get ballots to and from soldiers.

ELLIS ARNALL,
Governor.

SACRAMENTO, CALIF., February 1, 1944.

Senator HARRY F. BYRD,
Senate Office Building,
Washington, D. C.:

Extraordinary session of legislature today adopted soldiers' voting law by unanimous vote in both houses. Sending you a copy air mail. This bill meets with my full approval, subject to final legal approval by attorney general. Anticipating favorable legal opinion. Expect to sign bill within next few days, legislation to become effective immediately. Regards.

EARL WARREN,
Governor.

COLUMBUS, OHIO, January 31, 1944.

HON. HARRY F. BYRD,
United States Senate,
Washington, D. C.:

Legislature will be called in session just as soon as Congress acts on soldiers' voting measure to conform our laws with what is necessary as a result of the action of Congress. I want to assure you that the State can fully carry out its responsibility and that the soldiers will have the same right to vote as they did at home.

JOHN W. BRICKER,
Governor.

HARRISBURG, PA., January 31, 1944.

HON. HARRY F. BYRD,
United States Senate,
Washington, D. C.:

Under State voting machinery practically all absentee members of armed service from Pennsylvania who are qualified and who apply for a ballot can do so if complete cooperation is given by Federal Government.

EDWARD MARTIN,
Governor of Pennsylvania.

CARSON CITY, NEV., January 31, 1944.

HON. HARRY F. BYRD,
United States Senator,
Senate Office Building,
Washington, D. C.:

Reurwire. Amendments 1943 session improved Nevada soldier and sailor absentee law to such extent that, with exception of one minor deficiency, law is adequate. As the law now stands it is certainty that votes can be cast in general election. Deficiency applies to time element between final declaration of candidates and primary election. Registration of member of armed forces not re-

quired in Nevada. Have been waiting for final action of Congress before deciding whether special session necessary.

E. P. CARVILLE,
Governor of Nevada.

PIERRE, S. DAK., January 31, 1944.

HON. HARRY F. BYRD,
Senate Office Building,
Washington, D. C.:

South Dakota has permitted voting by mail for years. If Federal Government provides opportunities in the field, in camps, and at sea for military personnel to vote, and will afford air-mail transportation of letters, all South Dakota people now eligible to vote can vote at next election without any amendments of our laws. However, if Federal legislation should require amendments of our laws, we would furnish them. If he desires, Senator TAFT can show you telegram which I sent him Saturday.

M. Q. SHARPE,
Governor of South Dakota.

JANUARY 29, 1944.

DEAR SENATOR BYRD: I hope Congress will pass workable legislation to facilitate soldiers voting as promptly as I am answering your telegram of this date.

Oklahoma has not amended its laws to the extent that I think will be necessary in this connection. I do not think it can do so intelligently until we know what, if anything, Congress is to do. We certainly expect to help bring about whatever legislation is needed by the State to adequately facilitate this matter.

With very best wishes, I am,
Sincerely yours,

ROBT S. KERR,
Governor of Oklahoma.

Mr. BYRD. Mr. President, I also ask unanimous consent to insert a telegram from Governor Dewey, of New York, on the same subject, addressed to the Senator from New Hampshire [Mr. BRIDGES].

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

ALBANY, N. Y.

HON. STYLES BRIDGES,
Senate Office Building:

In answer to your telegram, every citizen of New York can and must have an opportunity to vote. The Constitution of the State of New York provides that no citizen of the State shall be deprived of his right to vote by reason of his being in the armed forces. I am sure the legislature would favorably consider any necessary statutory changes in the existing war-ballot law to make full distribution of ballots possible as soon as we know what Federal requirements must be met. Any ballot authorized by Congress which would not list State, county, and other local offices would be incomplete and not in accordance with the provisions of the Constitution of the State of New York. Therefore, it would be incumbent upon the New York Legislature to make available to every citizen in the armed forces from the State of New York a full and complete State ballot.

THOMAS E. DEWEY.

Mr. BYRD. Mr. President, I ask unanimous consent to insert in the RECORD four telegrams, one from the Governor of Minnesota, one from the Governor of New Jersey, one from the Governor of Idaho, and one from the Governor of Missouri, addressed to the Senator from Ohio [Mr. TAFT], on the same subject.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

ST. PAUL, MINN., February 1, 1944.

HON. ROBERT A. TAFT,
Senate Office Building,
Washington, D. C.:

Re your wire January 28 Minnesota will provide necessary State voting machinery if Federal Government cooperates in handling ballots.

EDWARD J. THYE,
Governor.

STATE HOUSE,
Trenton, N. J., January 28, 1944.

HON. ROBERT A. TAFT,
Senate Office Building,
Washington, D. C.:

New Jersey will provide the necessary State machinery for absentee soldier voting. Legislation will be passed in ample time for ballots to reach any area, providing Federal authorities supply necessary distribution, collection, and return to the State.

Kindest regards,

WALTER E. EDGE.

BOISE, IDAHO, January 28, 1944.

HON. ROBERT A. TAFT,
United States Senate,
Washington, D. C.:

Idaho equipped necessary voting machine if Federal Government will assume responsibility of distributing ballots.

JAMES A. DEMENT,
Secretary to Governor Bottolfsen.

JEFFERSON CITY, MO., January 28, 1944.

HON. ROBERT A. TAFT,
Senate, Washington, D. C.:

Laws of Missouri provide for absentee voting at special, general, or primary elections by a duly qualified elector absent from Missouri as a member of any of the armed services. Such elector may vote, regardless of compliance with provisions of laws requiring the registration of voters. Laws of Missouri do not, however, provide for availability of absentee ballot for forwarding to servicemen outside the United States at least 45 days before the election as per joint statement of December 30, 1943, mentioned by Secretaries Stimson and Knox in letter of that date to the Council of State Governments. The office of attorney general of Missouri has before it questions pertaining to what changes, if any, should be made in the law of Missouri in order that absentee ballots for primary and general election may be sent at least 45 days prior to each of said elections to qualified electors of Missouri who are serving in the armed forces of the United States. Extra session of legislature would be necessary to make changes in election laws. No decision has been reached as to whether such extra session will be called.

FORREST C. DONNELL,
Governor.

Mr. BYRD. Mr. President, I shall discuss the contents of the telegrams tomorrow.

Mr. BARKLEY. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. BARKLEY. I had hoped that the Senator from New Hampshire would proceed with his address without yielding further, in the hope that we might conclude shortly.

While the Senator is yielding, I should like to say that I have been advised by Members of the Senate on both sides that it is desirable that we have a vote on the Overton amendment as soon as possible. The Senator from New Hampshire himself is anxious to have a vote on it, and other Senators have indicated

their desire to vote on it. Of course, there are many other amendments which are printed and which are lying on the desks of Senators, which could be debated ad infinitum, if not ad nauseum, just as the pending amendment has been, and there will be ample opportunity to discuss all the subjects now being discussed. Most of the debate which has taken place today has had nothing to do with the Overton amendment. I hope that we may vote on the Overton amendment so we may say that after 10 days of debate we have been able to vote on one question.

Mr. BRIDGES. When the Senator referred in his rather cryptic humorous way to the amendment he was referring to the Overton amendment, was he not?

Mr. BARKLEY. Yes; to the Overton amendment.

Mr. BRIDGES. The Senator was not referring to my amendment?

Mr. BARKLEY. No, no. The Senator's amendment is not pending. It was simply ordered to lie on the table and to be printed.

Mr. BRIDGES. Yes.

Mr. President, we have an example from the Republican National Committee of a desire to have the name of its candidate known.

We have an example of Republican Governors and legislatures advancing their primary dates in order to help the soldiers to vote.

Mr. President, I challenge the Senators who sponsor the proposed legislation to make good on their fervent protests.

Let them advance boldly to the White House as Senators of the United States and consult Candidate Roosevelt and ask that he set the Democratic National Convention for June, and then we will be able to put my amendment into effect, and at least the American soldiers and sailors will have an opportunity to have some names on the Federal ballot and be able to approach the election a little more fairly, a little more intelligently, and cast a ballot which is more in the American way.

Mr. President, I do not know who the nominee of the Republican Party will be. We have many able candidates, outstanding men, who would make fine Presidents and fine Vice Presidents. We are not ashamed to have their names on the ballot. We are not afraid of what the men in the armed forces might think of either our candidates for President or Vice President. In fact, we will be rather proud of the men we nominate.

I ask the distinguished Senators from Rhode Island and Illinois, Why is the New Deal postponing its convention this year while the Republicans move their convention date forward?

Mr. President, it ill behooves the President of the United States to issue inflammatory statements attacking the Congress. There are men in this Chamber whose sons have already made the eternal sacrifice for their country. A majority of the Members of the Senate have sons in the service, most of them on the fighting fronts all over the world. My own son is one of those. He has been in the South Pacific for nearly a year.

There is not a Republican Member of Congress who would deny the vote to those serving in the armed forces. So far as I am personally concerned, neither the President of the United States, nor the Senator from Illinois, is competent to tell me what are the best interests of the men and women in the armed services. My fairness, and the fairness of Senators on this side of the aisle, in dealing with this subject is an open record. Yet the President tells the country that Congress is not concerned with the best interests and the welfare of the boys in uniform.

Mr. President, we know what the boys are fighting for. We know that they are offering their lives in order that America shall continue to be the beacon light of freedom to the world, safe from the transgression of the dictator from without or from within. We of the Senate well recall that we took an oath before our God to protect the Constitution of the United States.

The issue we have before us is not a new one. Down through the years the voice of the people has spoken to the legislatures and to the Congress to resist the encroachments, the ambitions, the lust for power of individual men.

It is our duty to do our bit to protect the vote in this country, and to protect the freedom which that vote represents.

Mr. President, I very graciously and generously allowed time to my colleagues on both sides of the aisle for questioning. The Senator from Illinois [Mr. LUCAS] asked me in effect if I did not think that the soldier in voting would not vote as secret a ballot as a man voting in his home voting precinct. My answer to that question is, Of course not. Even with the greatest care—and at this time I charge no one with a desire to interfere with the voting by servicemen—the number of hands and the processes through which the ballot must pass by necessity would make it less secret than the ballot cast by the individual from his own hands in his own ballot box in his own precinct.

Secondly, Mr. President, I wish to make answer to the Senator from Missouri [Mr. CLARK] who suggested that certain aspersions had been cast upon officers in the Army and the Navy with respect to influencing the vote. I have not made such a statement. No one is accusing the officers of the Army or the Navy with influencing the votes of the enlisted men. I do not blame the average soldier, knowing that his mail is censored today, if he wonders whether he shall be able to cast a completely secret ballot.

Mr. President, so far as I am concerned, I want the soldiers and sailors to vote. I want them to be able to vote in the American way. I want them to vote the most intelligent ballot which can be presented to them and to have them informed on the issues and the candidates. So far as I am concerned—and I think I share the views of most Senators on this side of the aisle—when anyone cries out fraud and accuses Senators or Representatives of trying to hamper the effort to give soldiers the right to vote, I say that that, Mr. President, is bunk, in pure American English. It is bunk, because there is not a man, woman or child in

America who is a real American who does not want the soldiers and sailors to vote. There is not a Member of Congress who does not want the soldiers and sailors to have an opportunity to vote. But we want them to vote with the greatest number of safeguards possible, and we want them to vote on a fair ballot, on the most complete and intelligent ballot possible. We want them to vote in the American way. We want their votes to be counted, and we want the election to be legal.

Mr. BARKLEY. Mr. President, may I ask now if we cannot obtain a vote on the Overton amendment? It will, of course, require a quorum call, but I think there should be no difficulty in obtaining a quorum.

Mr. WHITE. Mr. President, I agree with the Senator from Kentucky that there should be a quorum call before any agreement is reached with respect to a vote. I know of no Senator who is ready now to proceed with the debate. I know of no Senator who wants to address himself particularly to the Overton amendment. So far as I am concerned, if we may have a quorum call and a quorum is obtained I shall not interpose any objection to a vote being taken.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HATCH in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	O'Mahoney
Andrews	Gillette	Overton
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Bridges	Jackson	Stewart
Brooks	Johnson, Colo.	Taft
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Langer	Thomas, Utah
Butler	Lodge	Tobey
Byrd	Lucas	Truman
Caraway	McCarran	Tunnell
Chandler	McClellan	Tydings
Chavez	McFarland	Vandenberg
Clark, Idaho	McKellar	Wagner
Clark, Mo.	Maloney	Wallgren
Connally	Maybank	Walsh, Mass.
Danaher	Mead	Walsh, N. J.
Davis	Millikin	Wheeler
Downey	Moore	Wherry
Eastland	Murdock	White
Ellender	Murray	Willis
Ferguson	Nye	Wilson
George	O'Daniel	

The PRESIDING OFFICER. Eighty-nine Senators having answered to their names, a quorum is present.

Mr. BARKLEY. Mr. President, I have been advised that a number of Senators have left the Chamber on the assumption that no vote would be had this afternoon. Therefore, I shall not insist on having a vote on the Overton amendment at this time; but I ask unanimous consent that at an hour not later than noon tomorrow, the session to begin at 11 a. m., the Senate proceed to vote on the pending Overton amendment without further debate.

Mr. WHITE. Or on any amendment to the Overton amendment?

Mr. BARKLEY. Yes; or on any amendment to the Overton amendment. I thank the Senator.

Mr. WHITE. Mr. President, I feel, as does the Senator from Kentucky, that we should begin speedily to reach the voting stage in connection with the pending legislation. I certainly do not want those on this side of the aisle to be charged, either now or at any other time, with undue delay. The pending bill is an extraordinary piece of legislation. It presents new problems which no Member of the Senate has heretofore had to consider, and involves complicated constitutional questions and questions of practicability with respect to legislation. I believe that up to now the debate has been justified, and that those who have participated in it may not be charged with any unwarranted delay. However, I feel, as does the Senator from Kentucky, that we have reached the stage where we should begin to dispose of the amendments as speedily as we can. I have no objection to the request.

Mr. BARKLEY. I thank the Senator from Maine.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Kentucky?

Mr. OVERTON. I should like to have a yea-and-nay vote on the amendment. Can that be determined now?

Mr. BARKLEY. So far as I am concerned, it can; but I assure the Senator from Louisiana that he will be able to obtain it; I will do all I can to help him obtain a yea-and-nay vote.

Mr. OVERTON. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Kentucky? The Chair hears none, and the order is made.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. HATCH in the chair) laid before the Senate a message from the President of the United States nominating John P. McMahon, of the District of Columbia, to be Associate Judge of the Municipal Court for the District of Columbia, which was referred to the Committee on the Judiciary.

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc, and that the President be immediately notified of the confirmations.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc, and the President will be immediately notified.

Mr. BARKLEY. Mr. President, I make the same request with respect to all other nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be immediately notified of all other nominations confirmed today.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 27 minutes p. m.) the Senate took a recess until tomorrow, February 2, 1944, at 11 o'clock a. m.

NOMINATION

Executive nomination received by the Senate February 1 (legislative day of January 24), 1944.

THE JUDICIARY

MUNICIPAL COURT, DISTRICT OF COLUMBIA

Hon. John P. McMahon, of the District of Columbia, to be associate judge of the municipal court for the District of Columbia. (Judge McMahon is now serving in this post under an appointment which expired December 15, 1943.)

CONFIRMATIONS

Executive nominations confirmed by the Senate February 1 (legislative day of January 24), 1944.

UNITED STATES PUBLIC HEALTH SERVICE

PROMOTIONS IN THE REGULAR SERVICE

To be passed assistant surgeon

William S. Hotchkiss

To be sanitary engineer director

William H. W. Komp

To be passed assistant sanitary engineer

Richard T. Page

To be temporarily promoted to senior sanitary engineer

Mark D. Hollis

To be temporarily promoted to passed assistant dental surgeon

Norman L. Zwickel

To be temporarily promoted to passed assistant surgeon

Avery B. Wight

To be temporarily promoted to surgeons

Bryan A. Dawber

Bryon J. Olson

Harold R. Sandstead

POSTMASTERS

FLORIDA

Cecilia A. Hanson, Belleview.
Wendell L. Longstreth, Bradenton Beach.
Ralph A. McIntosh, Brandon.
Etta Matthews, Caryville.
Clara Wicker, Coleman.
Harriet J. Cooper, Crawfordville.
Thomas J. Chapman, Goulds.
Arthur J. Allen, Lake Park.

OKLAHOMA

Ed Whiteaker, Panama.

PENNSYLVANIA

Frank C. Davis, Alum Bank.
 Charlotte E. Capwell, Factoryville.
 Bertha M. Flesser, Farm School.
 James A. Donahue, Hellwood.
 Walter W. Gilmore, Hillsville.
 Olive K. Floyd, Hookstown.
 Ralph M. Pearce, Hyde.
 Charles M. Brubaker, Intercourse.
 W. Herbert Pearsol, Kunkletown.
 Charles C. Duck, Lewistown.
 Martha M. Stamm, Lincoln.
 Thomas F. Melody, Locust Gap.
 Ella R. Bradley, Mahanoy Plane.
 Alexander J. O'Reilly, Mayview.
 Marie Sterrett Smith, McKean.
 Basil W. Bradley, Middlebury Center.
 Lucy M. Labuski, Morris Run.
 George P. Kratzert, Neffsville.
 Mary F. Wilson, Newportville.
 Agnes Susan Whisdosh, Norvelt.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 1, 1944

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, Thou art not simply a God of might and wisdom; in the temple of our souls we discern Thee and in the wonder and deeper life of the spirit we acknowledge Thee. Thy outward works are most glorious, but we would truly know Thee in our hearts. Against every desire, every temptation and disappointment is our Lord and Master meeting us at the altar of the soul; with but feeble knowledge of the magnitude of our God, we come in humility.

We linger in our thoughts: How soon we are weak and weary; how often we, whom Thou hast loved, are fatigued by reason of the infirmities of the flesh, yet how patient Thou art and waiting to be gracious. Grant that everything that is unlike Thee, we may count as unworthy of ourselves. We pray for the spirit that diligently seeks the stimulation of the Divine mind. Though the many ways of humanity are straying hither and thither, may we be kept steadfast in the faith that our God is, and evermore shall be. Blessed Lord, without Thee we are no more capable of saving this world than we were capable of creating it; each day may we be led to use our station and gifts to hasten the advent of the parliament of man. When our labors are employed to remind men of the "Eternal Goodness" and when our country makes its power a bulwark of liberty and justice, Thy kingdom, O God, is on its way; all hail America in Thy name. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. DIES. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD a short article by George E. Sokolsky.

The SPEAKER. Is there objection?
 There was no objection.

THE LATE HONORABLE THOMAS W. HARDWICK, OF GEORGIA

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, it is my sad duty to announce to the House the death of the Honorable Thomas W. Hardwick, of Sandersville, Ga. As many of the older Members of this House will remember, Mr. Hardwick served in this body for 16 years. He was my predecessor in representing the old Tenth Congressional District of Georgia, and resigned in 1914 to take a seat in the United States Senate, to which he was elected in that year, and in which distinguished body he served until 1919. In 1920, he became Governor of Georgia, in which capacity he served until 1923.

No one from Georgia has had a more distinguished career. He was a brilliant lawyer, an outstanding orator, and a political leader without peer. In Congress he engaged in some of the most controversial debates of the day. He was not afraid to speak his mind and always had the courage of his convictions. He was my warm personal friend of many years, and I am deeply grieved at his passing. I am sure that his many friends in this body and in the Senate will share in my grief, and will join with me in extending our sympathy to his bereaved widow and daughter.

The SPEAKER. The time of the gentleman has expired.

WAR CRIMINALS SHOULD BE DENIED SANCTUARY IN NEUTRAL TERRITORY

Mr. KELLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KELLEY. Mr. Speaker, not since the days of Genghis Khan and Tamerlane has there been such cruelty inflicted upon defenseless people and prisoners of war as that perpetrated by the beasts of the Mikado. We should not have been surprised. Beneath the veneer of civilization there was the savage and the barbarian. What we witnessed was a reversion to type.

Every American hopes and prays for the day when justice will be done to these criminals. But it will not be done if they are allowed to seek refuge on neutral soil. This cannot be permitted. To forestall such attempts I yesterday introduced House Resolution 427, calling upon the President to enter into an agreement with our allies to prevent war criminals from finding sanctuary or safety on neutral territory. This resolution is before the Foreign Affairs Committee. I hope it will be given speedy consideration. The American people certainly want some provision to prevent the escape of those responsible for crimes committed upon American men and women.

The SPEAKER. The time of the gentleman has expired.

APPOINTMENT OF MEMBERS TO THE BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY FOR THE YEAR 1944

The SPEAKER laid before the House the following communication, which was read by the Clerk:

JANUARY 22, 1944.

The SPEAKER,

The House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: Pursuant to the act of April 16, 1937, as amended (Public, 38, 75th Cong., 1st sess.), I have appointed the following members of the Committee on the Merchant Marine and Fisheries to serve as members of the Board of Visitors to the United States Coast Guard Academy for the year 1944: Hon. FRANK W. BOYKIN, Hon. HERBERT C. BONNER, Hon. FRED BRADLEY.

As chairman of the Committee on the Merchant Marine and Fisheries, I am authorized to serve as an ex-officio member of the Board.

With kindest personal regards, I am

Yours very sincerely,

S. O. BLAND, Chairman.

The SPEAKER. Pursuant to the provisions of Public Law 183, Seventy-sixth Congress, the Chair appoints as members of the Board of Visitors to the United States Coast Guard Academy, the following Members of the House: Mr. FORAND, Mr. McWILLIAMS.

EXTENSION OF REMARKS

Mr. MANASCO. Mr. Speaker, I ask unanimous consent to insert in the RECORD a newspaper article appearing in this morning's Washington Post.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SULLIVAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Mining Record, of Denver, Colo.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Observer.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of mustering-out payments.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therewith a memorandum from the Navy Department.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my own remarks